

BOARD OF COUNTY COMMISSIONERS LEON COUNTY, FLORIDA

AGENDA

REGULAR MEETING

County Commission Chambers
Leon County Courthouse
301 South Monroe Street
Tallahassee, FL

**Tuesday, May 10, 2016
3:00 P.M.**

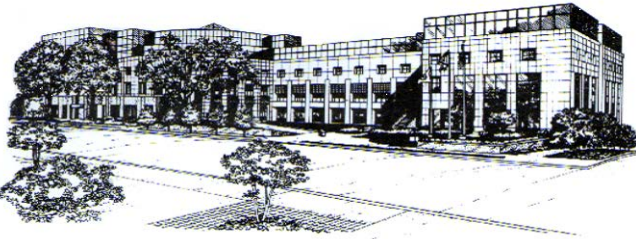
COUNTY COMMISSIONERS

Bill Proctor, Chairman
District 1

Jane Sauls
District 2

Bryan Desloge
District 4

Mary Ann Lindley
At-Large



John Dailey, Vice Chair
District 3

Kristin Dozier
District 5

Nick Maddox
At-Large

Vincent S. Long
County Administrator

Herbert W. A. Thiele
County Attorney

The Leon County Commission meets the second and fourth Tuesday of each month. Regularly scheduled meetings are held at 3:00 p.m. The meetings are televised on Comcast Channel 16. A tentative schedule of meetings and workshops is attached to this agenda as a "Public Notice." Selected agenda items are available on the Leon County Home Page at: www.leoncountyfl.gov. Minutes of County Commission meetings are the responsibility of the Clerk of Courts and may be found on the Clerk's Home Page at www.clerk.leon.fl.us

Please be advised that if a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at this meeting or hearing, such person will need a record of these proceedings, and for this purpose, such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. The County does not provide or prepare such record (Sec. 286.0105, F.S.).

In accordance with Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Community & Media Relations, 606-5300, or Facilities Management, 606-5000, by written or oral request at least 48 hours prior to the proceeding. 7-1-1 (TDD and Voice), via Florida Relay Service.

Board of County Commissioners

Leon County, Florida

Agenda

Regular Public Meeting

Tuesday, May 10, 2016, 3:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation and Pledge of Allegiance by Commissioner John Dailey

AWARDS AND PRESENTATIONS

- Proclamation Honoring Bethel Baptist Church Youth Committee Sponsoring “Clean Water for Flint”
(Chairman Proctor)
- Proclamation Recognizing National Public Works Week, the Third Week of May
(Chairman Proctor)
- Presentation by Whole Child Leon Regarding the South City Community Health Assessment
(Courtney Atkins, Whole Child Leon)

CONSENT

1. Approval of Minutes: March 8, 2016 Regular Board Meeting
(Clerk of the Court/Finance/Board Secretary)
2. Approval of Payment of Bills and Vouchers Submitted for May 10, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of May 11 through May 23, 2016
(County Administrator/Financial Stewardship/Management & Budget)
3. Consideration of Full Board Appointment to the Affordable Housing Advisory Committee and to the CareerSource Capital Region Board
(County Administrator/County Administration)
4. Ratification of the April 26, 2016 Fiscal Year 2017 Budget Workshop
(County Administrator/Financial Stewardship/Management & Budget)
5. Request to Schedule a Workshop on the Adult Civil Citation Program for July 12, 2016, from 1:00 – 3:00 p.m.
(County Administrator/County Administration /Intervention & Detention Alternatives)
6. Approval of the Plat of Rhoden Hill Subdivision for Recording in the Public Records
(County Administrator/Public Works/Engineering)
7. Approval of City of Tallahassee 2035 Master Sewer Plan Update
(County Administrator/Public Works/Engineering Services)

Status Reports: *(These items are included under Consent.)*

None

CONSENT ITEMS PULLED FOR DISCUSSION

CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS

3-minute limit per speaker; there will not be any discussion by the Commission

GENERAL BUSINESS

8. Approval of a Memorandum of Understanding to Expand CareerSource Capital Region Services through the LeRoy Collins Leon County Public Library System
(County Administrator/PLACE/Economic Vitality/Library)
9. Acceptance of the Status Report on the County's Enforcement of Animal Cruelty and Inhumane Animal Care Violations
(County Administrator/Public Safety/Animal Control)
10. Approval of Agreement Awarding Bid to CSI Contracting in the Amount of \$445,824 for Phase I Window Replacements of the Leon County Jail
(County Administrator/Public Works/Engineering Services)
11. Approval of Agreement Awarding Bid to M of Tallahassee, Inc. in the Amount of \$568,470 for the Construction of the Old Bainbridge Road at Pullen Road Intersection Improvement Project
(County Administrator/Public Works/Engineering Services)
12. Consideration of Full Board Appointment to the Tourism Development Council
(County Administrator/County Administration)

SCHEDULED PUBLIC HEARINGS, 6:00 P.M.

13. First and Only Public Hearing to Consider the Proposed Ordinance Amending Chapter 9 of the Leon County Code of Laws by Enacting a New Article VI, Entitled "Human Trafficking"
(County Attorney)
14. First and Only Public Hearing to Consider a Proposed Ordinance Amending the Review Process for Accessory Dwelling Units
(County Administrator/Development Support & Environmental Management/Development Services)
15. Second and Final Public Hearings to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards
(County Administrator/Development Support & Environmental Management/Development Services)
16. First and Only Public Hearing to Consider a Proposed Ordinance Amending Section 13-58 of the Leon County Code of Laws
(County Administrator/Economic Vitality/Tourism Development)

CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS

3-minute limit per speaker; Commission may discuss issues that are brought forth by speakers.

COMMENTS/DISCUSSION ITEMS

Items from the County Attorney

Items from the County Administrator

Discussion Items by Commissioners

RECEIPT AND FILE

ADJOURN

*The next Regular Board of County Commissioners Meeting is scheduled for
Tuesday, May 24, 2016 at 3:00 p.m.*

All lobbyists appearing before the Board must pay a \$25 annual registration fee. For registration forms and/or additional information, please see the Board Secretary or visit the County website at www.leoncountyfl.gov

2016

JANUARY

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NOVEMBER

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DECEMBER

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PUBLIC NOTICE
2016 Tentative Schedule

All Workshops, Meetings, and Public Hearings are subject to change
 All sessions are held in the Commission Chambers, 5th Floor, Leon County Courthouse unless otherwise indicated. Workshops are scheduled as needed on Tuesdays preceding the Commission meeting.

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
January 2016	Friday 1	Offices Closed	NEW YEAR'S DAY
	Tuesday 12	No Meeting	BOARD RECESS
	<i>Wednesday 13 – Friday 15</i>	<i>FAC New & Advanced County Comm. Workshop</i>	<i>Seminar 2 of 3 Gainesville; Alachua County</i>
	Monday 18	Offices Closed	MARTIN LUTHER KING, JR. DAY
	Tuesday 26	3:00 p.m.	Regular Meeting
	Thursday 28	9:30 – 11:00 a.m.	Community Redevelopment Agency City Commission Chambers
February 2016	Tuesday 2	7:30 a.m.	Community Legislative Dialogue Meeting County Commission Chambers
	<i>Wednesday 3</i>	<i>Legislative Day</i>	<i>FSU Turnbull Center; Tallahassee</i>
	Monday 8	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 9	3:00 p.m.	Regular Meeting
		1:00 – 3:00 p.m.	Workshop on Infant Mortality
	Tuesday 16	No Meeting	NO MEETING
	<i>Saturday 20 – Wednesday 24</i>	<i>NACo Legislative Conference</i>	<i>Washington, D.C.</i>
	Thursday 25	9:30 – 11:00 a.m.	CRA Meeting; City Commission Chambers
	Monday 29	3:00 – 5:00 p.m.	Intergovernmental Meeting City Commission Chambers
March 2016	Tuesday 8	1:30 p.m.	Joint City/County Workshop on Cycle 2016 Comprehensive Plan Amendments
		3:00 p.m.	Regular Meeting
		6:00 p.m.	Public Hearing on a Proposed Ordinance to Amend the On-site Sewage Disposal Systems Provisions
		6:00 p.m.	Public Hearing for the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc.
	Monday 21	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 22	7:30 a.m.	Community Legislative Dialogue Meeting County Commission Chambers

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
		No Meeting	NO MEETING
April 2016	<i>Thursday 7 – Friday 8</i>	<i>FAC Advanced County Commissioner Workshop</i>	<i>Seminar 3 of 3: Gainesville; Alachua County</i>
	Tuesday 12	3:00 p.m.	Regular Meeting
		6:00 p.m.	First Public Hearing to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards
		6:00 p.m.	First & Only Public Hearing to Adopt an Ordinance to Regulate Outdoor Dog Friendly Dining Areas
		6:00 p.m.	Joint City/County Transmittal Hearing on Cycle 2016 -1 Comprehensive Plan Amendments
		6:00 p.m.	First and Only Public Hearing to Consider a Proposed Ordinance to Revise the County's Driveway Connection Permitting, Inspection and Enforcement Process
	Monday 18	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 26	9:00 a.m. – 3:00 p.m.	Budget Policy Workshop
		3:00 p.m.	Regular Meeting
	Thursday 28	9:30 – 11:00 a.m.	Community Redevelopment Agency City Commission Chambers
May 2016	Tuesday 10	3:00 p.m.	Regular Meeting
		6:00 p.m.	Second Public Hearing to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards
		6:00 p.m.	First and Only Public Hearing to Consider an Ordinance Amending Section 13-58 of the Leon County Code of Laws
		6:00 p.m.	First Public Hearing to Consider a Proposed Ordinance to Allow Outdoor Shooting Ranges in the Rural Zoning District
		6:00 p.m.	First & Only Public Hearing to Consider the Proposed Ordinance Amending Chapter 9 b y Enacting a New Article VI of the Leon County Code of Laws Entitled “Human Trafficking”
		6:00 p.m.	First and Only Public Hearing to Consider a Proposed Ordinance Amending the Review Process for Accessory Dwelling Units
	Monday 16	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 24	3:00 p.m.	Regular Meeting

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
		6:00 p.m.	Joint City/County Adoption Hearing on Cycle 2016-1 Comprehensive Plan Amendments
	Thursday 26	10:00 a.m. – 12:00 p.m.	Joint Workshop with the City Commission on Affordable Housing Issues
	Monday 30	Offices Closed	MEMORIAL DAY
June 2016			
	Tuesday 14	9:00 a.m. – 3:00 p.m.	Budget Workshop
		3:00 p.m.	Regular Meeting
		6:00 p.m.	Second and Final Public Hearing to Consider a Proposed Ordinance to Allow Outdoor Shooting Ranges in the Rural Zoning District
	Monday 20	1:00 p.m.	CRTPA Meeting; City Commission Chambers
		3:00 – 5:00 p.m.	Intergovernmental Meeting; City Commission Chambers
	Thursday 23	9:30 – 11:00 a.m.	CRA Meeting; City Commission Chambers
	Tuesday 28	No Meeting	NO MEETING
	<i>Tuesday 28 - Friday, July 1</i>	<i>FAC Annual Conference & Educational Exposition</i>	<i>Orlando, Orange County</i>
July 2016			
	Monday 4	Offices Closed	JULY 4TH HOLIDAY OBSERVED
	Tuesday 12	9:00 a.m. – 12:00 p.m.	Budget Workshop (<i>if necessary</i>)
		<u>1:00 p.m. – 3:00 p.m.</u>	<u>Adult Civil Citation Workshop</u>
		3:00 p.m.	Regular Meeting
	Thursday 14	9:30 – 11:00 a.m.	CRA Meeting; City Commission Chambers
	<i>Friday 22 – Tuesday 26</i>	<i>NACo Annual Conference</i>	<i>Los Angeles County, Long Beach, California</i>
	Tuesday 26	No Meeting	BOARD RECESS
August 2016	<i>Wednesday 3 – Saturday 6</i>	<i>National Urban League Annual Conference</i>	<i>Baltimore, Maryland</i>
	Tuesday 9	No Meeting	BOARD RECESS
	<i>Friday 19 - Sunday 21</i>	<i>Chamber of Commerce Annual Conference</i>	<i>Amelia Island/Fernandina Beach</i>
	Tuesday 23	No Meeting	BOARD RECESS
September 2016			
	Thursday 1	9:30 – 11:00 a.m.	Community Redevelopment Agency Special Meeting; City Commission Chambers

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
	Monday 5	Offices Closed	LABOR DAY HOLIDAY
	Monday 12	5:00 – 8:00 p.m.	Intergovernmental Meeting/Public Hearing City Commission Chambers
	Tuesday 13	3:00 p.m.	Regular Meeting
		6:00 p.m.	First Public Hearing Regarding Tentative Millage Rates and Tentative Budgets for FY 2017*
	<i>Wednesday 14- Friday 16</i>	<i>FAC Policy Committee Conference and County Commissioner Workshops</i>	<i>Hutchinson Island Martin County</i>
	Monday 19	1:00 p.m.	CRTPA Meeting; City Commission Chambers
	Tuesday 20	3:00 p.m.	Regular Meeting
		6:00 p.m.	Second Public Hearing on Adoption of Millage Rates and Budgets for FY 2017*
	<i>Wednesday 21- Saturday 24</i>	<i>Congressional Black Caucus Annual Legislative Conference</i>	<i>Washington, D.C.</i>
	<i>Sunday 25- Wednesday 28</i>	<i>ICMA Annual Conference</i>	<i>Jackson County Kansas City, Missouri</i>
	Thursday 29	4:00 p.m.	Community Redevelopment Agency Meeting
		6:00 p.m.	Community Redevelopment Agency Public Hearing City Commission Chambers

** These public hearing dates may change because of the School Board's scheduling of its budget adoption public hearings.*

October 2016	<i>TBD</i>	<i>FAC Advanced County Commissioner Program</i>	<i>Part 1 of 3 Gainesville; Alachua County</i>
	Monday 17	9:00 a.m. - 1:00 p.m.	Capital Region Transportation Planning Agency Retreat; TBD
	Tuesday 18	3:00 p.m.	Regular Meeting
	Tuesday 25	3:00 p.m.	Regular Meeting

November 2016	Friday 11	Offices Closed	VETERAN'S DAY OBSERVED
	Monday 14	1:00 p.m.	Capital Region Transportation Planning Agency City Commission Chambers
	Monday 21	9:30 – 11:00 a.m.	Community Redevelopment Agency City Commission Chambers
	Tuesday 22	3:00 p.m.	Installation of Newly-Elected Commissioners Reorganization of the Board Regular Meeting
	Thursday 24	Offices Closed	THANKSGIVING DAY

<u>Month</u>	<u>Day</u>	<u>Time</u>	<u>Meeting Type</u>
	Friday 25	Offices Closed	FRIDAY AFTER THANKSGIVING DAY
	<i>Wednesday³⁰ – Friday, Dec. 2</i>	<i>FAC Legislative Conference</i>	<i>Buena Vista Orange County</i>
December 2016	Monday 12	9:00 a.m. – 4:00 p.m.	Board Retreat
	Tuesday 13	3:00 p.m.	Regular Meeting
	Monday 26	Offices Closed	CHRISTMAS DAY OBSERVED
	Tuesday 27	No Meeting	BOARD RECESS
January 2017	Monday 2	Offices Closed	NEW YEAR'S DAY OBSERVED
	Tuesday 10	No Meeting	Board Recess
	Tuesday 24	3:00 p.m.	Regular Meeting

Citizen Committees, Boards, and Authorities 2016 Expirations and Vacancies

www.leoncountyfl.gov/committees/expire.asp

VACANCIES

Affordable Housing Advisory Committee

Board of County Commissioners (3 appointments)

A member who represents the Planning Commission

A member who represents employers within the jurisdiction.

A member who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.

Career Source Capital Region

Board of County Commissioners (1 appointment)

A member nominated by local business organizations including local chambers of commerce, downtown merchants associations, area business associations, etc.

Contractors Licensing and Examination Board

Commissioner – District II: Sauls, Jane (1 appointment)

Commissioner – At-Large: Lindley, Mary Ann (1 appointment)

Development Support & Environmental Management Citizen's User Group

Board of County Commissioners (1 appointment)

A member who represents a business association or organization

Tourist Development Council

Board of County Commissioners (1 appointment)

A member who is involved in the tourist industry, but not a hotelier.

EXPIRATIONS

JUNE 30, 2016

Adjustment and Appeals Board

Board of County Commissioners (1 appointment)

Tallahassee City Commission (1 appointment)

Architectural Review Board

Board of County Commissioners (1 appointment)

A member who is an owner of property designated historic preservation

CareerSource Capital Region

Board of County Commissioners (1 appointment)

Planning Commission

Board of County Commissioners (1 appointment)

Tallahassee City Commission (1 appointment)

JULY 31, 2016

Big Bend Health Council

Board of County Commissioners (4 appointments)

Educational Facilities Authority

Board of County Commissioners (1 appointment)

Investment Oversight Committee

Board of County Commissioners (2 appointments)

SEPTEMBER 30, 2016

Affordable Housing Advisory Committee

Board of County Commissioners (11 appointments)

A member who is actively engaged in the residential home building industry in connection with affordable housing.

A member who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.

A member who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.

A member who is actively engaged as an advocate for low-income persons in connection with affordable housing.

A member who is actively engaged as a for-profit provider of affordable housing.

A member who is actively engaged as a not-for-profit provider of affordable housing.

A member who is actively engaged as a real estate professional in connection with affordable housing.

A member who actively serves on the local planning agency pursuant to s. 163.3174.

A member who resides within the jurisdiction of the local governing body making the appointments.

A member who represents employers within the jurisdiction.

A member who represents essential services personnel, as defined in the local housing assistance plan.

Community Development Block Grant Citizens Task Force

Board of County Commissioners (1 appointment)

A member who is a low-income resident in unincorporated Leon County

Commissioner – At-Large I: Lindley, Mary Ann (1 appointment)

Commissioner – District IV: Desloge, Bryan (1 appointment)

Commissioner – District V: Dozier, Kristin (1 appointment)

Council on Culture and Arts

Board of County Commissioners (1 appointment)

Development Support and Environmental Management Citizens User Group

Commissioner – At-Large II: Maddox, Nick (1 appointment)

Commissioner - District I: Proctor, Bill (1 appointment)

Commissioner – District IV: Desloge, Bryan (1 appointment)

Housing Finance Authority (and CDBG Citizens Task Force)

Commissioner – At-Large I: Lindley, Mary Ann (1 appointment)

Commissioner – District IV: Desloge, Bryan (1 appointment)

Commissioner – District V: Dozier, Kristin (1 appointment)

Leon County Research and Development Authority at Innovation Park

Board of County Commissioners (3 appointments)

Tallahassee-Leon County Commission on the Status of Women and Girls

Board of County Commissioners (5 appointments)

Commissioner - District I: Proctor, Bill (1 appointment)

Commissioner - District III: Dailey, John (1 appointment)

Commissioner – District V: Dozier, Kristin (1 appointment)

Tallahassee City Commission (3 appointments)

OCTOBER 31, 2016

Audit Advisory Committee

Board of County Commissioners (2 appointments)

Canopy Roads Citizens Committee

Board of County Commissioners (2 appointments)

Tourist Development Council

Board of County Commissioners (1 appointment)

DECEMBER 31, 2016

Human Services Grants Review Committee

Commissioner - At-large I: Lindley, Mary Ann (1 appointment)

Commissioner - At-large II: Maddox, Nick (1 appointment)

Commissioner - District I: Proctor, Bill (1 appointment)

Commissioner - District II: Sauls, Jane G. (1 appointment)

Commissioner - District III: Dailey, John (1 appointment)

Commissioner - District IV: Desloge, Bryan (1 appointment)

Commissioner - District V: Dozier, Kristin (1 appointment)

Library Advisory Board

Commissioner - At-large II: Maddox, Nick (1 appointment)

Commissioner - District I: Proctor, Bill (1 appointment)

Commissioner - District V: Dozier, Kristin (1 appointment)

Tourist Development Council

Board of County Commissioners (1 appointment)

JANUARY 31, 2017

Minority, Women & Small Business Enterprise Committee

Commissioner - District I: Proctor, Bill (1 appointment)

Commissioner - District III: Dailey, John (1 appointment)

Commissioner - District IV: Desloge, Bryan (1 appointment)

Commissioner - District V: Dozier, Kristin (1 appointment)

FEBRUARY 28, 2017

Value Adjustment Board

Board of County Commissioners (1 appointment)

MARCH 31, 2017

Contractors Licensing and Examination Board

Commissioner - At-large II: Maddox, Nick (1 appointment)

Commissioner - District IV: Desloge, Bryan (1 appointment)

Commissioner - District V: Dozier, Kristin (1 appointment)

Science Advisory Committee

Commissioner - District II: Sauls, Jane G. (1 appointment)

Commissioner - District V: Dozier, Kristin (1 appointment)

APRIL 30, 2017

Tallahassee Sports Council

Board of County Commissioners (2 appointments)


**Leon County
Board of County Commissioners**

Notes for Agenda Item #1

Leon County Board of County Commissioners

Cover Sheet for Agenda #1

May 10, 2016

To: Honorable Chairman and Members of the Board
From: Vincent S. Long, County Administrator 
Title: Approval of Minutes: March 8, 2016 Regular Board Meeting

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Betsy Coxen, Finance Director, Clerk of the Court & Comptroller
Lead Staff/ Project Team:	Rebecca Vause, Board Secretary

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Approve the minutes of the March 8, 2016 Regular Board Meeting (Attachment #1).

Attachments:

1. March 8, 2016 Regular Board Meeting Minutes

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
March 8, 2016**

The Board of County Commissioners of Leon County, Florida met in regular session at 3:00 p.m. with Chairman Bill Proctor presiding. Present were Vice Chairman John Dailey and Commissioners Nick Maddox, Kristin Dozier, Mary Ann Lindley, Bryan Desloge, and Jane Sauls. Also present were County Administrator Vincent Long, County Attorney Herb Thiele, Finance Director Betsy Coxen and Board Secretary Rebecca Vause.

Chairman Proctor called the meeting to order at 3:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was provided by Fr. Peter L. Zalewski, Pastor Blessed Sacrament Catholic Church. Commissioner Nick Maddox then led the Pledge of Allegiance.

Awards and Presentations

- Chairman Bill Proctor presented a Proclamation honoring the Elite 8th Graders at Out of the Box Solution for winning the Youth Basketball of America Division II National Championship. Coach James Harris thanked the Board for the recognition and asked for the community's continued financial support.
- Chairman Bill Proctor presented a Proclamation to Jackie Wilson and representatives of Tallahassee Chapter #72 in recognizing March 6-12, 2016 as "Women in Construction Week".
- Chairman Bill Proctor presented a Proclamation declaring March "Believing in Girls" Month in Leon County, Florida. Sha'Ron James, Chair of the Commission on Status of Women and Girls and also PACE Leon accepted the Proclamation and thanked the Board for the recognition.
- Commissioner Bryan Desloge presented a Proclamation recognizing March as "American Red Cross" Month. Sharon Tyler, Red Cross Chapter CEO, acknowledged the attendance of Nicole King, Joanne Adams and Ed Wood and thanked the Board for the recognition and its support.
- Presentation of the Ready 4 Work Conceptual Business Development Program
 - Reverend R.B. Holmes, Bethel Empowerment Foundation, provided an overview of the program, which aims to support ex-offenders primarily through provision of employment.
 - Lucretia Collins, interim manager for the program, shared local statistics relating to crime rates and those committing crimes and recidivism. She conveyed that the Foundation has secured \$500,000 in non-recurring dollars from the Florida Legislature and requested \$125,000 from both Leon County and the City of Tallahassee to assist with the retrofit of a building and program development. Ms. Collins distributed written material to the Board which detailed the Reentry Program.
 - Mark O'Bryan, Tallahassee Memorial Hospital CEO and Board member, spoke in support of the program and sees it as a way to improve the quality of life of the community by bringing people back into useful roles and to create a different environment for this population.
 - Matt Brown, Tallahassee State Bank CEO and Board member also voiced his support for the program and believed the program would cut recidivism in half and restore productive citizens back into the community.
 - Commissioner Maddox spoke on how this issue has affected his personal life and conveyed his support for the program.

- *Commissioner Maddox moved, duly seconded by Commissioner Lindley, to direct staff to create an agenda item for the April 12, 2016 Board meeting to include an analysis of the program and what opportunities may exist on how the County can get involved.*
- Commissioner Maddox added that when the item is brought to the Board for discussion, he intended to request the item be brought back as a Budget discussion Item.
- Commissioner Lindley stated that the program sounded like a needed solution to a serious program and that the money saved from recidivism could be significant.
- Commissioner Dozier articulated that she looked forward to learning more about the program. She asked if the agenda item could also include an update on existing programs, i.e., LIFT, and how they could work in collaboration with the proposed program. Commissioner Dozier revised this request once it was revealed that the program only pertained to state inmates.
- Ms. Collins shared that a group of individuals would travel to Jacksonville on March 30th to tour the Jacksonville New Hope Ready to Work facility and invited members of the Commission to join them.
- Commissioner Desloge noted that there are between 11-12 million individuals are in jails nationwide and asked if there is a way to expand the program to include County jails. Ms. Collins responded that current funding is for state inmates only, but that as the program evolves expansion may be possible.
- Commissioner Maddox established that the initial year estimated budget was \$977,000.
- *The motion carried 6-0 (Commissioner Dailey out of Chambers)*
- Presentation regarding the Jim Moran School of Entrepreneurship
 - Mike Campbell and Susan Fiorito of the Jim Moran Institute of Global Entrepreneurship provided an update on the soon to be established School of Entrepreneurship and future efforts of the Institute. The presentation highlighted the \$100 million pledge honoring the late Jim Moran and how those funds would be utilized to create what will be the nation's largest interdisciplinary, degree-granting school of entrepreneurship.
 - Chairman Proctor inquired about the engagement of minority students. Dr. Fiorito responded that anyone is eligible to apply for acceptance into the program; however, one's passion for entrepreneurship is key to acceptance. Mr. Campbell added that a portion of the endowment is secured specifically for disadvantaged/minority businesses.
 - Commissioner Desloge asked about the partnership with Domi. Mr. Campbell stated that the Institute does not have the tools to support entrepreneurs once they graduate and leave campus; thus the support of Domi has significantly helped fill this gap.
 - Commissioner Dozier expressed her enthusiasm for the program.

Consent:

Commissioner Desloge moved, duly seconded by Commissioner Dozier to approve the Consent Agenda, with the exception of Item 8, which was pulled for further discussion. Items 10 and 37 were removed from the agenda. The motion carried 7-0.

1. Approval of Minutes: January 26, 2016 and February 9, 2016 Regular Meeting

The Board approved Option 1: Approve the minutes of the January 26, 2016 and February 9, 2016 Regular Meeting.

2. Acceptance of the Annual Investment Report for Fiscal Year 2014-2015

The Board approved Option 1: Accept the Annual Investment Report for Fiscal Year 2014-2015.

3. Consideration of Full Board Appointments to the Board of Adjustment and Appeals

The Board approved Option 1: The full Board appoints Shaleen Miller to the Board of Adjustment and Appeals (BOAA) for a term of three years.

4. Acceptance of Status Update Regarding Leon County's Television Broadcast Presence

The Board approved Option 1: Accept the status report.

5. Ratification of Appointments to the Minority Women Small Business Enterprise Committee and Water Resources Committee

The Board approved Options 1 & 2: 1) Ratify Commissioner Maddox's appointment of Ted Parker to the Minority Women Small Business Enterprise Committee for a term of two years, and 2) Ratify Commissioner Proctor's appointment of Jo Laurie Penrose to the Water Resources Committee for a term of three years.

6. Acceptance of Report on Southside Community Efforts and the Leon County Southside School Project

The Board approved Option 1: Accept the report on Southside community efforts and the Leon County Southside School Project.

7. Approval of 2016 Club of Honest Citizens Town and Gown Event to be Held at Tallahassee Community College

The Board approved Option 1: Approve the 2016 Club of Honest Citizens Town and Gown Event to be held at Tallahassee Community College.

8. Approval of Policy No. 16-X "Leon County Succession Management Policy"

Chairman Proctor requested the item be pulled for further discussion.

County Administrator Long introduced the item.

Chairman Proctor opined that the item should not have been placed under the Consent Agenda as it warranted discussion by the Board. He expressed concerns about creating a set of criteria or standards which are unattainable or artificially inflated and was inclusive of all employees. He stated that he was interested in a workforce that was diverse, as well as talented.

County Administrator Long assured Chairman Proctor and the Board that the plan creates opportunities for a path that is achievable and also provides opportunities for employees who have been working in one function for many years the opportunity to obtain more formalized training.

Commissioner Dailey moved, duly seconded by Commissioner Proctor approval of Option 1: Approve Policy No. 16-X "Leon County Succession Management Policy". The motion carried 7-0.

9. Approval of Payment of Bills and Voucher Submitted for March 8, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of March 9 through April 11, 2016

The Board approved Option 1: Approve the payment of bills and vouchers submitted for March 8, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of March 9 through April 11, 2016.

~~**10. Approval of the Revised Leon County Driveway and Street Connection Guidelines and Procedures Manual**~~

REMOVED FROM THE AGENDA

11. Request to Schedule Two Public Hearings to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards for April 12 and May 10, 2016 at 6:00 p.m.

The Board approved Option 1: Schedule two required Public Hearings to consider proposed revisions to the Leon County Land Development Code to provide private and charter school siting standards for April 12 and May 10, 2016 at 6:00 p.m.

12. Request to Schedule Two Public Hearings to Consider Proposed Amendments to the Leon County Land Development Code to Allow Outdoor Sport Shooting Ranges in the Rural Zoning District for May 10 and June 14, 2016 at 6:00 p.m.

The Board approved Option 1: Schedule two required Public Hearings to consider proposed amendments to the Land Development Code to allow outdoor sport shooting ranges in the Rural Zoning District for May 10 and June 14, 2016 at 6:00 p.m.

13. Request to Schedule the First and Only Public Hearing to Adopt an Ordinance to Regulate Outdoor dog Friendly Dining Areas for April 12, 2016 at 6:00 p.m.

The Board approved Option 1: Schedule the first and only Public Hearing to adopt an Ordinance to regulate outdoor dog friendly dining areas for April 12, 2016 at 6:00 p.m.

14. Ratification of Board Actions Taken at the February 9, 2016 Workshop on Infant Mortality Issues

The Board approved Option 1: Ratify Board actions taken at the February 9, 2016 Workshop on Infant Mortality Issues.

15. Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.

The Board approved Options 1 & 2: 1) Schedule the first and only Public Hearing on a proposed Ordinance amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m. and 2) direct staff to modify County policies regarding the use of alcoholic beverages in County facilities and properties.

16. Acceptance of the Marketing Status Report from the Division of Tourism Development

The Board approved Option 1: Accept the Marketing Status Report from the Division of Tourism.

17. Adoption of a Resolution in Support of a Grant Application to Construct a Sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive

The Board approved Option 1: Adopt the Resolution in support of a Grant Application to construct a sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive.

18. Approval of a License Agreement with Babe Ruth League for Use of the Fred George Greenway and Park Baseball Field

The Board approved Option 1: Approve the License Agreement with the Babe Ruth League for use of the Fred George Greenway and Park baseball field, and authorize the County Administrator to execute.

19. Approval of First Amendment to the Lease Agreement Between Leon County and the Seminole Radio Control Club, Inc.

The Board approved Option 1: Approve the first Amendment to the Lease Agreement between Leon County and the Seminole Radio Control Club, Inc.

20. Approval to Award Bid to TALCOR Commercial Real Estate Services, Inc., for the Provision of Nonresidential Real Estate Services

The Board approved Option 1: Approve the award of the solicitation to TALCOR Commercial Real Estate Services, Inc. for the provision of Nonresidential Real Estate Services, authorize staff to negotiate the agreement, and authorize the County Administrator to execute the agreement in a form approved by the County Attorney.

21. Adoption of Proposed Revisions to the Tallahassee-Leon County Planning Commission and Local Planning Agency Bylaws and Adoption of an Update Tallahassee-Leon County Planning Department Fee Resolution

The Board approved Option 1: Adopt the amended Tallahassee-Leon County Planning Commission and Local Planning Agency Bylaws and the updated fee resolution, based on the recommendation of the Tallahassee-Leon County Planning Commission and the staff report.

22. Acceptance of the Miccosukee Sense of Place Update

The Board approved Option 1: Accept the Miccosukee sense of place update.

23. Adoption of Lake Jackson Blueway Plan

The Board approved Option 1: Adopt the Lake Jackson Blueway Plan and direct staff to coordinate with the Florida Office of Greenways and Trails to designate this water trail as a unit of the State's Paddling Trail Network

24. Authorization for Staff to Prepare a FY 2016-2017 Budget Request to Hire a Mobility Fee Consult in Coordination with the City of Tallahassee

The Board approved Option 1: Direct staff, in coordination with the City of Tallahassee, to submit a FY 2016-17 budget request for the purpose of procuring a consultant to develop a countywide mobility fee framework and ordinance.

25. Acceptance of the Leon County Water Resources Committee 2015 Annual Report

The Board approved Option 1: Accept the Leon County Water Resources Committee Annual Report.

26. Acceptance of the FY 2014-15 Annual Audit and Financial Report

The Board approved Option 1: Accept the FY 2014/2015 Annual Audit and Financial Report, and authorize the Chairman to sign the letter transmitting the report to the Auditor General.

27. Acceptance of the First Quarter FY 2015-2016 County Grant program Leveraging Status Report

The Board approved Option 1: Accept the First Quarter FY 2015-2016 County Grant Program Leveraging Status Report.

28. Acceptance of the Status Report on the Competitive Provider Reimbursements for the FY 2016 Primary Healthcare Program

The Board approved Option 1: Accept the Status Report on the Competitive Provider Reimbursements for the FY 2016 Primary Healthcare Program.

29. Acceptance of Supervised Pretrial Release Division's Annual Report

The Board approved Option 1: Accept the Supervised Pretrial Release Division's Annual Report, and authorize staff to submit to the Clerk of the Circuit Court.

30. Acceptance of the 2014-2015 Annual Report of the Code Enforcement Board and the Code Compliance Program

The Board approved Option 1: Accept the 2014-15 Annual Report of the Code Enforcement Board and the Code Compliance Program.

Citizens to be Heard on Non-Agendaed Items (3-minute limit per speaker; there will not be any discussion by the Commission)

General Business

31. Consideration of Full Board Appointments of Commissioners to the Value Adjustment Board

County Administrator Long introduced the item.

Commissioner Dozier moved, duly seconded by Commissioner Desloge, approval of Option 1: Full Board appointment of Commissioners Maddox and Sauls to the Value Adjustment Board for terms of two years. The motion carried 7-0.

32. Establishment of the FY 2017 Maximum Discretionary Funding Levels and Initial Budget Policy Guidance

County Administrator Long introduced the item and summarized the options presented in the agenda item.

Commissioner Maddox moved, duly seconded by Commissioner Dailey, approval of Options 1, 2, 3, 4, & 5:

- 1) Establish the Community Human Services Partnership (CHSP) funding level for FY 2017 at \$1,200,000;
- 2) Establish the maximum discretionary funding levels as follows: a. Homeless Shelter construction: \$100,000; b. Legal Services of North Florida (additional funding): \$125,000, and c. Domestic Violence Coordinating Council: \$25,000.
- 3) Maintain the special event funding account as follows:

Special Event Agencies	FY 2017 Funding
Celebrate America 4 th of July Celebration	\$2,500
Dr. Martin Luther King Celebration (Inter Civic Southern Leadership Council of Tallahassee)	\$4,500
NAACP Freedom Fund Award (Tallahassee NAACP)	\$1,000
Soul Santa (Frenchtown \$2,500 and Walker Ford \$1,500)	\$4,000
County Sponsored Tables/Community Events	\$15,000
Total	\$27,000

- 4) Prepare a budget discussion item regarding current outside agency service contracts to evaluate if the funding continues to align with current Board priorities and to ensure this approach continues to be the most efficient and effective method for service delivery. The following entities will be included in the discussion item: TMH Trauma Center; Keep Tallahassee-Leon County Beautiful; Oasis Center; Tallahassee Trust for Historic Preservation; St. Francis Wildlife; Disc Village; Whole Child Leon; UPHS; and the Domestic Violence Coordinating Council, and
- 5) Direct staff to work with the City of Tallahassee, the United Way and community agencies in evaluating a two year grant funding cycle for CHSP to commence in FY 2018.

The motion carried 7-0.

33. Approval of the Council on Culture & Arts Capital Improvement Grant Program and Guidelines and Acceptance of a Status Report on Efforts to Streamline Operational Efficiencies

County Administrator Long introduced the item.

Commissioner Maddox moved, duly seconded by Commissioner Desloge, approval of Options 1 & 2: 1) Approve the Council on Culture & Arts Capital Improvement Grant Program and Guidelines, and 2) Accept status report on efforts to streamline operational efficiencies with the Council on Culture & Arts.

Commissioner Dozier expressed appreciation for the report. She discussed with County Administrator Long the potential relocation of COCA to the Amtrak Building and mentioned that a review of the numbers for this move could benefit the COCA Board in making its decision on office space. **She then offered a friendly amendment, which was accepted by the maker of the motion (Commissioner Maddox), to direct staff to bring back an agenda item exploring the establishment of an Arts, Culture and Heritage Council, to be housed within the Division of Tourism, prior to the Cultural Plan Review Committee sunseting in August 2016.**

The motion as amended carried 7-0.

34. Acceptance of Staff Review of the Canopy Roads Citizen Committee and Recommendations to Improve Development Review Efficiency and Increase Proactive Canopy Road Management, Education, and Outreach

County Administrator Long introduced the item. He recalled that the Board had at its October 13, 2015 meeting, directed staff to perform a “check in” on the role and structure of the Canopy Roads Citizen Committee (CRCC). He opined that the recommendations provided by staff reflect the County’s strong and historic support of canopy roads and citizen engagement in that process. County Administrator Long then invited Cherie Bryant, Planning Manager, to provide the Board a brief presentation on the issue.

Ms. Bryant summarized the agenda item and reviewed the recommendations offered by staff.

Chairman Proctor invited Commissioner Lindley (the Board’s liaison on the Canopy Roads Citizen Committee) and other commissioners to provide comment on this issue prior to hearing from the public.

Commissioner Lindley stated that she had heard from so many citizens and expressed appreciation for the passion stimulated by this issue.

Commissioner Lindley moved, duly seconded by Commissioner Dailey, approval of Options 1, 2, 3 & 4, with an amendment to Option 2a that would retain all current review authority for all projects which come before the Committee; and that an orientation is provided to new committee members.

- 1) *Accept staff’s report and direct staff to continue to support the Canopy Road Citizen Committee (CRCC) in updating and implementing the Canopy Roads Management Plan and public outreach and education efforts;*
- 2) *Direct staff to prepare ordinance amendments to further improve development review efficiency that:*
 - a. *Clarifies the CRCC will retain all current review authority for all projects which come before the Committee and an orientation would be provided to new committee members ~~advisory role to the review of new road connection and intersection project proposals;~~*
 - b. *Adds a requirement for review of all proposed infrastructure projects, including utilities installation and sidewalks in the CRPZ, by formalizing a technical staff committee with membership from Public Works, Planning, and Development*

Services and Environmental Management (DSEM) to be called the Canopy Road Protection Interdepartmental Committee.

- c. Includes the establishment of more objective criteria for the evaluation of projects impacting the CRPZ.*
- 3) Direct staff to reassign the County Urban Forester position as dedicated support staff to the expanded protection of the Canopy Road system, and*
- 4) Direct staff to amend all necessary documents for purposes of:*
 - a. Modifying the Composition of the Canopy Roads Committee membership to the following: Twelve total members; five appointed by the County and five appointed by the City of which one County and one City appointee shall live on a canopy road; the remaining two members shall be approved by the County and City appointees; a business leader nominated by the Greater Tallahassee Chamber of Commerce and a certified arborist.*
 - b. Requiring the CRCC to meet at least once annually and on an as needed basis as determined by staff for purposes of updating and implementing the Canopy Roads Management Plan and for specific project review.*

Commissioner Lindley also clarified that staff's recommendation 4 b. did not intend for the Committee to meet only once a year. She spoke of the importance of an annual report from the Committee.

Commissioner Maddox requested that Option 4 a. be amended to reduce the number of members from 12 to 9. Commissioner Lindley stated that she was supportive of 12 members; however, would entertain the reduced membership after further discussion.

Commissioner Dailey, citing concerns he had received regarding staff's recommended Option 4 b., suggested that the option be amended as follows: Requiring the CRCC to meet at least once annually and on an as needed basis as determined by staff for the purpose of formalizing an annual report. But furthermore, the CRCC will meet on an as needed basis as determined by the committee, committee by-laws and staff.

Commissioner Lindley stated that she was comfortable with the amendment and liked the added flexibility for the CRCC.

Commissioner Maddox established with Commissioner Lindley that in her opinion it was important for the Board to have a liaison on the CRCC, rather than just receiving updates/status reports.

Commissioner Dozier indicated that she was generally supportive of the motion, but had questions and concerns to bring up regarding when meeting were scheduled. She suggested that the CRCC schedule bi-monthly meeting (which were properly noticed to comply with "sunshine" laws), but that could be cancelled if not needed. She suggested that this schedule could be more efficient for those smaller projects requiring CRCC review.

Speakers:

- Former County Commissioner Cliff Thael, 9601-59 Miccosukee Road, member of the Canopy Roads Protection Coalition, spoke in support of the motion and mentioned that the language change on the scheduling issue resolves a very significant issue. He advised that the Coalition is made up of over 250 citizens who appreciate the remarkable beauty and economic,

historic and cultural value of the community's canopy roads. A document entitled "A Statement to the Community: Preserve the Voice of Citizens in Canopy Road Protection" was submitted for the record and included recommended strategies for improving the efficiency and functionality of the CRCC. The document also contained 106 signatures in support of the Coalitions views and recommendations. Commissioner Thael asked members of the Coalition in attendance to stand and be recognized by the Board.

- Georjean Machulis, 9601-59 Miccosukee Road, stated that it was important that government trust its citizens and citizens trust its government. She appreciated the Board listening and responding to the concerns and suggestions of the Coalition.
- Elizabeth Gablehouse, 2510 Chamberlin Drive, waived time in favor of Commissioner Thael's prior statements.
- Jeff Blair, 9145 Stargate Way, spoke in support of consensus building and urged the Board to maintain and enhance the critical role of the CRCC and dedicate the resources and staffing needed to assist the committee.
- Kim Ross, 1603 Sauls Street, representing Rethink Energy Florida, thanked the Board for supporting citizen engagement and listening to its citizens. She also spoke in support of the amended language and continuation of the CRCC.
- Ken Hays, 1935 Nanticoke Circle, requested an enhanced effort of restoration and that trees removed along a canopy are replaced. He thanked the Board for listening to the concerns of citizens.
- Chuck Mitchell, 3890 Tan Mouse Road, reminded the Board that there were no regulations for canopy roads prior to 1985; and these regulations have been critical in maintaining this asset of the community. He voiced support for the motion and amendment and agreed that prescheduled meetings would be beneficial. He too emphasized the need for replanting of oaks when removed along a canopy.
- Donald Dixon, 1552 Cristobar Drive, spoke in support of maintaining canopy roads and shared how they were viewed by a recent visitor from Denmark. He relayed that residents of Las Robles are concerned about the future of canopy roads and stated that the CRCC should remain as is, should meet monthly and review all applications.
- Kevin McGorry, 411 Oakland Avenue, thanked the Board for its leadership and support of citizen committees. He echoed the importance of citizen engagement and relayed that an update of the management plan was needed. He supported the motion and continuation of the CRCC.
- John Hedrick, 1551 Cristobar Drive, Chairman of the Leon County Democratic Environmental Caucus, spoke in support of the motion and amended language. He thanked the Board for hearing the voices of its citizens.
- Herb Shelton, 2115 Longview Drive, waived time in support of the CRCC.
- Tabitha Frazier, 415 Vinnedge Ride, current CRCC Chair, stated her support for the motion and amendment. She advised that there were three vacancies on the CRCC at this time and requested the Board consider making appointments.
- Rick Smith, 6451 Weeping Willow Way, waived his time; however, opposed sunset of the citizen's committee.
- Bill Armstrong, 4426 Rabbit Pond Road, urged support for the motion. He indicated that he had appeared before the CRCC numerous times without event; however, was aware of the frustration experienced by some citizens.

He suggested that staff meet with individuals prior to their appearance before the CRCC to ensure they are knowledgeable of what is expected. He stated that efficiency should be measure by the number of trees saved.

- Richard RuBino, 726 Ingleside Avenue, stated that he was concerned about the potential dilution of citizen participation in the public process and strongly supported the position of the Coalition for review of all applications along canopy roads. He supported the proposed motion and amendment.
- Ann Bidlingmaier, 1920 Harriet Drive, appeared as a three term Chair of the CRCC and advised that monthly meetings were held, if needed. She asserted that was no such thing as a “small project on a canopy road” and believed that all projects affecting a canopy road should be reviewed by the CRCC. She shared an article which appeared in the New York Times pertaining to the Miccosukee Road canopy. She thanked the Board for its proposed direction.
- Mici Robson, 1521 Live Oak Drive, thanked the Board for its support of canopy roads. She was concerned about the invasion of vines on the canopy trees and suggested that trees needing attention could be identified in the summer and the vines removed in January.
- Mary Ann Koos, 389 Castleton Circle, shared that her review of the County’s Capital Improvement Plan for the next five years, revealed no project that would have qualified for CRCC review based on staff’s recommendation which limited the CRCC’s role to review of new road connection and intersection project proposals. She emphasized the need for CRCC review of all projects.
- Kelly McGrath, 9601 Miccosukee Road, appreciated the proposed motion and amendment. In response to Commissioner Dozier’s concerns regarding timely review of small projects, she believed that the CRCC would be willing to meet monthly if needed.
- Leroy Peck, President, Council of Neighborhood Associations, commended the Board for its proposed direction. He asserted that canopy roads are essential to the character of the County and that citizen engagement is essential. He urged the Board to adopt the motion.
- Julie Harserman, 9516 Sunhawk Blvd, mentioned that having leaders that listen to its constituents is what makes a community unique and appreciated that the Board had heard and responded to its citizens. She appreciated the motion and amendment.
- Stephen Martin, 2625 Stonegate Drive, expressed disappointment for past decisions made by the CRCC as he had hoped it would be a true canopy protection committee. He strongly opposed the committee’s approval of the Orchard Pond Parkway and the Miccosukee roundabout. He expressed concerns about the potential Welaunee development.
- Marjorie Turnbull, 3935 Meandering Lane, voiced her support for the motion and disclosed that she, along with Commissioner Debbie Lightsey, were the “mothers of the CRCC”. She opined that any concerns about procedures of the committee could be addressed through the by-laws and that citizen engagement was essential.
- Rip Caleen, 3048 Godfrey Place, waived his time.
- Patricia Thomas, Settlers Springs neighborhood, voiced support for maintaining the CRCC and suggested that canopy roads are one of the County’s best features and help make it healthy and vibrant. She was concerned that Old Bainbridge Road was narrow and not well lit and asked that some attention be given to resolve these dangerous conditions.

- Former City Commissioner Debbie Lightsey, 2340 Cypress Cove Drive, shared that oaks are very slow growing trees; thus urged the replanting of the canopy through an annual budget appropriation. She too echoed the importance of community engagement and thanked the Board for listening.
- Former City Commissioner Dot Inman-Johnson, 2121 Trescott Drive, thanked Commissioners Lindley and Dailey for the motion. She suggested the CRCC schedule monthly meetings and cancel as needed, so as to comply with sunshine laws. She noted that the County's canopy roads are listed among America's most scenic by-ways and asked that the Board preserve these natural, historic environmental resources for future generations.
- Stan Chapman, waived his time in support of the Coalition.

Chairman Proctor thanked the many speakers for their interest in this issue.

Commissioner Dozier also expressed appreciation for the comments received. She reiterated that it was never the Board's intent to dissolve the CRCC; but rather a review was needed to insure that the committee was being used in the best and most efficient manner. She also established with County Administrator Long that the current vacancies on the CRCC would be filled through the typical appointment process and nominations would come back to the Board in a future agenda item.

Commissioner Dozier offered an amendment that bi-monthly meetings of the CRCC be scheduled, with the ability to cancel and add meetings, as needed. The amendment was accepted by the maker of the motion (Commissioner Lindley).

The motion as amended is restated as follows:

Commissioner Lindley moved, duly seconded by Commissioner Dailey, approval of Options 1, 2, 3 & 4, with an amendment to Option 2a that would retain all current review authority for all projects which come before the Committee; and that an orientation is provided to new committee members.

- 1) *Accept staff's report and direct staff to continue to support the Canopy Road Citizen Committee (CRCC) in updating and implementing the Canopy Roads Management Plan and public outreach and education efforts;*
- 2) *Direct staff to prepare ordinance amendments to further improve development review efficiency that:*
 - a. *Clarifies the CRCC's will retain all current review authority for all projects which come before the Committee and an orientation would be provided to new committee members ~~advisory role to the review of new road connection and intersection project proposals;~~*
 - b. *Adds a requirement for review of all proposed infrastructure projects, including utilities installation and sidewalks in the CRPZ, by formalizing a technical staff committee with membership from Public Works, Planning, and Development Services and Environmental Management (DSEM) to be called the Canopy Road Protection Interdepartmental Committee.*
 - c. *Includes the establishment of more objective criteria for the evaluation of projects impacting the CRPZ.*
- 2) *Direct staff to reassign the County Urban Forester position as dedicated support staff to the expanded protection of the Canopy Road system, and*
- 4) *Direct staff to amend all necessary documents for purposes of:*
 - a. *Modifying the Composition of the Canopy Roads Committee membership to the following: Twelve total members; five appointed by the County and five appointed*

by the City of which one County and one City appointee shall live on a canopy road; the remaining two members shall be approved by the County and City appointees; a business leader nominated by the Greater Tallahassee Chamber of Commerce and a certified arborist.

- b. ~~Requiring the CRCC to meet at least once annually and on an as needed basis as determined by staff for the purpose of formalizing an annual report. But furthermore, the CRCC will meet bi-monthly and have the authority to meet on an as needed basis as determined by the Committee, committee by laws and staff for purposes of updating the implementing the Canopy Roads Management Plan and for specific project review.~~

The motion as amended carried 7-0.

Chairman Proctor recessed the Board for its dinner break at 5:43 p.m. and announced it would reconvene at 6:00 p.m. to conduct the scheduled public hearings.

SCHEDULED PUBLIC HEARINGS, 6:00 P.M.

Chairman Proctor reconvened the Board and conducted the following public hearings.

35. First and Only Public Hearing to Consider the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc.

County Attorney Thiele announced the public hearing. He advised that all necessary materials have been submitted to meet Chapter 18 of the Code of Laws.

County Administrator Long stated that a speaker card from Mr. John White had been submitted along with and a list of questions regarding this transfer. County Administrator Long also shared that a representative of Seminole Waterworks, Inc. was in attendance and willing to meet with Mr. White to discuss his concerns.

Speaker:

- John White, 4925 Buck Lake Road, President, Meadow Hills Homeowner Association, discussed his concerns of the transfer regarding the internal working operations of both companies.

Chairman Proctor requested clarification on the role of the Board in regards to the transfer. County Attorney Thiele responded that the Board does not have regulatory authority, so long as all necessary measures and requirements had been met.

Commissioner Desloge commented, based on his review of the questions submitted by Mr. White, that all the questions were operational in nature and should be directed to the new owner. He suggested that the letter from Mr. White be forwarded to Seminole Waterworks encouraging them to work with the neighborhood in resolving their concerns.

Commissioner Lindley moved, duly seconded by Commissioner Desloge approval of Option 1, as amended: Conduct the first and only Public Hearing and approve the transfer of six small franchise areas from Rowe Utilities to Seminole Waterworks, Inc. and direct staff to forward the questions submitted by Mr. White to Seminole Waterworks encouraging them to work with the neighborhood to resolve the concerns. The motion carried 7-0.

36. First and Only Public Hearing to Consider Amendments to the On-Site Sewage Disposal Systems Ordinance

County Administrator Long announced the public hearing. He shared that the amendments were adopted as part of the County's Wakulla Springs Basin Management Action Plan (BMAP).

At the request of Chairman Proctor, Alex Mahon, Environmental Manager, Department of Health in Leon County, provided an overview of the proposed amendment and clarification on the 24-inch separation requirement. He expressed the standard is consistent with current Wakulla County and State requirements for all newly installed systems.

Speaker:

- Mike Sundin, a septic system vendor, commented on the improvements in the nitrate level at Wakulla Springs and suggested the environmental benefits of the 24-inch requirement for replacement systems do not justify the increased replacement cost to property owners.
 - Chairman Proctor discussed with Mr. Sundin the 24-inch requirement and wondered if this extra level of protection was warranted in light of the positive results occurring at Wakulla Springs. He conveyed his concerns over the additional financial burden especially to those residents of Districts 1 and 2.
- Brian Miller, septic contractor, opined that the 24-inch mandate would do more harm than good as it would create a black market. He also hoped the County would consider a program to provide some financial assistance.
- Marianne McCall, commented that she had recently repaired her septic system and worried of financial hardship for further repairs or replacement.
- Aine' Ryan, soil test vendor, appeared on behalf of her customers. She expressed support for only a 12-inch requirement given the high cost of a 24-inch standard.
- Bart Bibler, spoke in favor of the 24-inch standard and recalled that this is a BMAP requirement. He stated that this is necessary for the protection of Wakulla Springs.

Commissioner Dozier stated that while she was convinced the 24-inch standard was appropriate, did express concerns about the impact of the costs of replacement systems. She remarked on her interest to begin tracking the number of replacement systems so that data would be available for the future. Commissioner Dozier articulated that she would be interested in exploring some type of low interest loan or other financial assistance program. County Administrator Long responded that the LIFE program could be a source for grant funding and would bring back other options as they become available.

Commissioner Dozier moved, duly seconded by Commissioner Lindley approval of Option 1: Conduct the first and only Public Hearing and adopt proposed amendments to the On-site Sewage Disposal Systems Ordinance.

Commissioner Lindley also acknowledged the cost concerns and expressed an interest in exploring some type of financial assistance.

Commissioner Dailey stated that he would support the motion and recalled that there was a program within in the County's Housing Department that provides funding to low and moderate families' for rehabilitation. He stated that he was willing to take a look to ensure there was adequate funding within that program.

County Administrator Long conveyed that SHIP dollars would be the most likely funding source and an agenda item could be brought back for consideration.

Chairman Proctor remarked that he could not support the motion as the action would negatively impact the economically challenged residents of the County.

The motion carried 6-1 (Chairman Proctor in opposition)

~~37. First and Only Public Hearing to Consider a Proposed Ordinance to Revise the County's Driveway Connection Permitting, Inspection and Enforcement Process~~

REMOVED FROM THE AGENDA

Citizens to be Heard on Non-Agendaed Items (3-minute limit per speaker; Commission may discuss issues that are brought forth by speakers.)

- Stephen Martin, 2625 Stonegate Drive, spoke of his concerns regarding the proposed Welaunee development and urged the Board to keep environmental values in mind when contemplating developments.
- Edward Holifield, spoke of his displeasure with the County's engagement in dealing with infant mortality. He urged the Board to do more.
- Bart Bibler, representing Tallahassee 350.org, stated they are conducting a climate change litmus test to determine the opinions of state and local government representatives regarding climate change, i.e., an affirmer or denier. He indicated that a questionnaire had been e-mailed to each commissioner and asked that it be completed and sent back to Tallahassee 350.org. Mr. Bible indicated that the results would be posted on their website. He encouraged the use of renewable energy and voiced his support for the County to implement the Property Assessed Clean Energy (PACE) program.

Comments/Discussion Items

County Attorney Thiele:

- No issues.

County Administrator Long:

- Invited Andy Johnson, to provide a summary of the legislative session and highlighted legislative actions of importance and interest to the County. He indicated that a comprehensive End of Session Report would be prepared for the Board.
 - The Board and County Administrator Long expressed their appreciation to Shington Lamy and Andy Johnson for their representation on behalf of the County during the session.
 - Chairman Proctor stated that his number one priority at this year's Retreat would be raises for government workers.

Commissioner Discussion Items

Commissioner Sauls:

- No issues.

Commissioner Desloge:

- Congratulated Maggie Theriot, Assistant to the County Administrator, on her recognition by TCC for National Women’s Month.
- *Commissioner Desloge moved, duly seconded by Commissioner Dailey, to direct the County Attorney to bring back a proposed ordinance on posting of information on the human trafficking hotline. The motion carried 7-0.*
- *Commissioner Desloge moved, duly seconded by Commissioner Maddox, ratification of a Proclamation recognizing Leon County/Tallahassee as a dementia friendly community and direct staff to work with the Department of Elder Affairs on a pilot program. The motion carried 7-0.*

Commissioner Lindley:

- Mentioned her concerns regarding lack of enforcement of the County’s Animal Cruelty ordinance. She noted that the City is also having difficulty with its enforcement and suggested collaboration to help address this problem.
 - *Commissioner Lindley moved, duly seconded by Commissioner Dailey, to direct staff to bring back an agenda item on the status of enforcement of the current animal cruelty ordinance. The motion carried 7-0.*
- *Commissioner Lindley moved, duly seconded by Commissioner Maddox, for a Proclamation recognizing Pride Fest, to be presented at an outside event on April 16th. The motion carried 7-0.*
- *Commissioner Lindley moved, duly second by Commissioner Desloge, endorsement of a Resolution encouraging the State to properly use funds designated for land acquisition (known as “Amendment 1”). The motion carried 7-0.*

Commissioner Maddox:

- Reminded the Board of the upcoming Village Square “Created Equal” event to be held at the Moon on March 10th from 6-8 p.m. The discussion will focus on race relations in the community.
- Requested the forthcoming Infant Mortality agenda item include opportunities for CPR training for mothers in specific census tracts with higher infant mortality rates, to be administered through Leon County EMS.

Commissioner Dozier:

- *Commissioner Dozier moved, duly seconded by Commissioner Maddox, approval for a Proclamation recognizing March as Women’s History Month, to be presented at an outside event. The motion carried 7-0.*
- *Commissioner Dozier moved, duly seconded by Commissioner Lindley, approval for a Proclamation recognizing local author Susan Cerulean for winning the 2015 Florida Book Award, Gold Prize for “Coming to Pass: Florida’s Coastal Islands in a Gulf of Change”, to be presented at the April 12, 2016 Board meeting. The motion carried 7-0.*
- Commended staff on their efforts during the 2016 legislative session.
- Voiced her pride in the County being one of the first to support a resolution in opposition to fracking.

Commissioner Dailey:

- No issues.

Chairman Proctor:

- On behalf of Chairman Proctor:
 - *Commissioner Maddox moved, duly seconded by Commissioner Dailey, approval for a Proclamation recognizing Mothers in Crisis 25th Anniversary, to be presented at the April 12, 2016 Board meeting. The motion carried 7-0.*
- Requested a tour of the Leon County Jail, Public works and Facilities and invited fellow commissioners to join him.
- Shared that the Piggly Wiggly would open at the old Harvey's site on South Monroe in mid-March and thanked others for support of the CRA funding.
- Noted that early voting is occurring for the upcoming Presidential Primary.
- Mentioned that the Spring Home Expo is scheduled for March 19th from 9:00 a.m. – 1:00 p.m.

Receipt and File:

- None.

Adjourn:

There being no further business to come before the Board, the meeting was adjourned at 7:57 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

BY: _____
Bob Inzer, Clerk of the Court
Leon County, Florida

**Leon County
Board of County Commissioners**

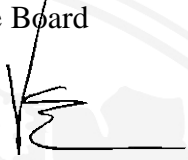
Notes for Agenda Item #2

Leon County Board of County Commissioners

Cover Sheet for Agenda #2

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of Payment of Bills and Vouchers Submitted for May 10, 2016 and Pre-Approval of Payment of Bills and Vouchers for the Period of May 11 through May 23, 2016

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/Project Team:	Scott Ross, Director, Office of Financial Stewardship

Fiscal Impact:

This item has a fiscal impact. All funds authorized for the issuance of these checks have been budgeted.

Staff Recommendation:

Option #1: Approve the payment of bills and vouchers submitted for May 10, 2016, and pre-approve the payment of bills and vouchers for the period of May 11 through May 23, 2016.

Report and Discussion

This agenda item requests Board approval of the payment of bills and vouchers submitted for approval May 10, 2016 and pre-approval of payment of bills and vouchers for the period of May 11 through May 23, 2016. The Office of Financial Stewardship/Management and Budget (OMB) reviews the bills and vouchers printout, submitted for approval during the May 10, 2016 meeting, the morning of Monday, May 9, 2016. If for any reason, any of these bills are not recommended for approval, OMB will notify the Board.

Due to the Board not holding a regular meeting until May 24, 2016, it is advisable for the Board to pre-approve payment of the County's bills for May 11 through May 23, 2016, so that vendors and service providers will not experience hardship because of delays in payment. The OMB office will continue to review the printouts prior to payment and if for any reason questions payment, then payment will be withheld until an inquiry is made and satisfied, or until the next scheduled Board meeting. Copies of the bills/vouchers printout will be available in OMB for review.

Options:

1. Approve the payment of bills and vouchers submitted for May 10, 2016, and pre-approve the payment of bills and vouchers for the period of May 11 through May 23, 2016.
2. Do not approve the payment of bills and vouchers submitted for May 10, 2016, and pre-approve the payment of bills and vouchers for the period of May 11 through May 23, 2016.
3. Board direction.

Recommendation:

Option #1.

**Leon County
Board of County Commissioners**


Notes for Agenda Item #3

Leon County Board of County Commissioners

Cover Sheet for Agenda #3

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Consideration of Full Board Appointments to the Affordable Housing Advisory Committee and to the CareerSource Capital Region Board

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/Project Team:	Mary Smach, Agenda Coordinator

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

- Option 1. The full Board appoints Dianne Williams-Cox to the Affordable Housing Advisory Committee (AHAC) for the remainder of the unexpired term, ending September 30, 2016
- Option 2. The full Board appoints Dave Hager to the CareerSource Capital Region Board for the remainder of the unexpired term, ending June 30, 2017.

Report and Discussion

Background:

This agenda requests a full Board appointment to the Affordable Housing Advisory Committee and the CareerSource Capital Region Board.

Analysis:

Affordable Housing Advisory Committee (AHAC)

Purpose: The goal of AHAC is to identify incentives that are pertinent to affordable housing and serve as an information resource to help improve affordable housing feasibility. The AHAC will review the established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan and shall recommend specific actions or initiatives to encourage or facilitate affordable housing.

Composition: The membership of the AHAC is comprised of eleven (11) members based on certain criteria in connection with affordable housing. All members are appointed by the full Board.

Vacancy: There is currently a vacancy for a member who also serves on the Planning Commission. Darryl Jones was the member representing the Planning Commission and his term has expired. The Tallahassee-Leon County Planning Commission recommends Dianne Williams-Cox to replace Mr. Jones as their representative on the Affordable Housing Advisory Committee (Attachment #1). Ms. Williams-Cox's application is included as Attachment #2.

Table 1. Affordable Housing Advisory Committee (AHAC)

Vacancy	Eligible Applicants	Recommended Action
Member representing the Planning Commission	Dianne Williams-Cox	Full Board to make appointment.

CareerSource Capital Region

Purpose: CareerSource Capital Region Council provides for enhanced coordination, cooperation, collaboration, and outcomes, by and between several entities, both public and private, which are involved at the local level in providing youth and adults with opportunities to develop and continuously upgrade their knowledge and skills in order to advance economically and socially throughout their lifetime. The Council also focuses on providing employers with the skilled workforce necessary to be competitive in local, state, national, and/or global markets.

Composition: There are a total of 23 voting members; seven (7) of which are private sector seats appointed by the Leon County Board of County Commissioners. Nominations for the private sector seats are submitted by local business organizations including local chambers of commerce, downtown merchants associations, area business associations, etc. Such nominations shall be representative of the business community.

Vacancy: Mr. John McFarlain has recently resigned and his term ends June 30, 2017 (Attachment #3). Vacancies are filled for the remainder of an unexpired term. The Greater Tallahassee Chamber of Commerce nominates Mr. Dave Hager (Attachment #4). Mr. Hager's application and resume are included as Attachments #5 & #6.

Table 4: CareerSource Capital Region

Vacancy	Eligible Applicant	Recommended Action
Remainder of John McFarlain's unexpired term, ending June 30, 2017	Dave Hager	Full Board to make appointment.

Options:

1. The full Board appoints Dianne Williams-Cox to the Affordable Housing Advisory Committee (AHAC) for the remainder of unexpired term, ending September 30, 2016
2. The full Board appoints Dave Hager to the CareerSource Capital Region Board for the remainder of the unexpired term, ending June 30 2017.
3. Board direction.

Recommendation:

Options #1 & #2

Attachments:

1. Tallahassee-Leon County Planning Commission Minutes
2. Application – Dianne Williams-Cox
3. Resignation – John McFarlain
4. Letter of nomination
5. Application – Dave Hager
6. Resume – Dave Hager

TALLAHASSEE-LEON COUNTY PLANNING COMMISSION MINUTES

APRIL 5, 2016, 6:00 P.M., SECOND FLOOR CONFERENCE ROOM, RENAISSANCE CENTER

PLANNING COMMISSIONERS PRESENT: Timothy Edmond, Chairman; Patrick Madden; Stewart Proctor; Barbara Walker; Keith Dantin and Robert Deyle.

PLANNING COMMISSIONERS ABSENT: Diane Williams-Cox.

STAFF PRESENT: Silvia Alderman, Planning Commission Attorney; Russell Snyder, Land Use Planning Division Manager; Laurel Harbin, Planner I; Ryan Culpepper, Leon County Development Services Director; Jessica Icerman, Assistant Leon County Attorney; Lou Norvell, Assistant City Attorney and Beth Perrine, Recording Secretary.

A. AGENDA MODIFICATIONS:

B. PUBLIC COMMENT ON UNAGENDAED ITEMS:

C. CONSENT:

1. February 2, 2016 Planning Commission Minutes
2. February 2, 2016 Joint Planning Commission & Local Planning Agency Meeting Minutes
3. March 1, 2016 Planning Commission Minutes

Commissioner Madden made a motion to approve the consent agenda. Commissioner Walker seconded the motion. The motion passed with a vote of 6-0.

D. PUBLIC HEARING TEXT AMENDMENTS:

1. City of Tallahassee: First and Only Public Hearing on Ordinance 16-O-05: Proposed Amendment to Chapter 10, Zoning, of the Tallahassee Land Development Code; Adding Off-Street Parking Facilities as a Special Exception Use for Properties within the Downtown Overlay and in the CC Central Core, CU-45 Central Urban, and UT University Transition Districts.

Mr. Greg Harden gave a presentation on this item. Mr. Harden stated that staff recommends that the Planning Commission find the proposed ordinance consistent with the Tallahassee-Leon County Comprehensive Plan and recommend that the City Commission adopt Ordinance 16-O-05, thereby amending Chapter 10, Zoning, of the Tallahassee Land Development Code; adding Off-Street Parking Facilities as a Special Exception Use for properties within the Downtown Overlay and in the CC Central Core, CU-45 Central Urban, and UT University Transition Districts, based on the findings and conditions of the staff report, and evidence presented at the hearing hereon.

Commissioner Proctor made a motion to close the public hearing on this item. Commissioner Madden seconded the motion. The motion passed with a vote of 6-0.

There was a brief discussion on the reasons for the proposed amendment. Staff explained that the request had come from the City Commission due to issues with lack of parking for events held in these different areas, such as Gaines Street. Staff explained that the surface lots would act as placeholders until redevelopment in the area occurs which would include parking structures. Staff also stated that this amendment would allow for parking lots currently owned by the City to be improved.

Commissioner Madden made a motion to find the proposed ordinance consistent with the Tallahassee-Leon County Comprehensive Plan and recommend that the City Commission adopt Ordinance 16-O-05, thereby amending Chapter 10, Zoning, of the Tallahassee Land Development Code; adding Off-Street Parking Facilities as a Special Exception Use for properties within the Downtown Overlay and in the CC Central Core, CU-45 Central Urban, and UT University Transition Districts, based on the findings and conditions of the staff report, and evidence presented at the hearing hereon. Commissioner Deyle seconded the motion. The motion passed with a vote of 6-0.

2. City of Tallahassee: First and Only Public Hearing on Ordinance 16-O-04: Proposed Amendment to Chapter 5, Environmental Management, of the Tallahassee Land Development Code; Related to Stormwater Retention Standards for the Lake Jackson Drainage Basin.

Commissioner Dantin made a motion to continue this item to the May 3, 2016 Planning Commission Meeting per staff's recommendation. Commissioner Madden seconded the motion. The motion passed with a vote of 6-0.

3. Leon County: Proposed Ordinance Amending Chapter 10 of the Leon County Code of Laws of Leon County Florida; Amending Section 10-1.101, Definitions; Amending Section 10-6.612, Rural Zoning District, to Allow Outdoor Sport Shooting Ranges as a Restricted Use.

Commissioner Proctor made a motion to continue this item to the May 3, 2016 Planning Commission Meeting per staff's recommendation. Commissioner Walker seconded the motion. The motion passed with a vote of 6-0.

E. PUBLIC HEARING REZONINGS:

1. City of Tallahassee: First and Only Public Hearing on Ordinance No. 16-Z-06; Proposed Amendment of the Official Zoning Map to Change the Zoning Classification from the Office Residential (OR-3) Zoning District to the General Commercial (C-2) Zoning District. The subject site is located approximately 220 feet east and 250 feet south of the intersection of N Monroe Street and Glenview Drive.

Ms. Laurel Harbin gave a presentation on this item. Ms. Harbin stated that staff recommends that the Planning Commission find the proposed Ordinance 16-Z-06 consistent with the Comprehensive Plan and recommend that the City Commission adopt Ordinance 16-Z-06, thereby amending the Official Zoning Map to change the zoning classification from the Office Residential (OR-3) zoning district to the General Commercial (C-2) zoning district, based on the findings and conditions of the staff report and any evidence presented at the hearing hereon.

The following individuals spoke in opposition to the proposed rezoning ordinance based on perceived potential negative impacts of commercial development on the adjacent Residential Preservation (RP-1) neighborhood, such as increased traffic on Glenview Drive, increased noise from commercial development and increased vermin from the extra trash as a result of the increase in commercial development:

1. Mr. Doug Coleman, 1931 Greenwood Drive, Tallahassee, FL
2. Ms. Jeanette Hammond, 135 Glenview Drive, Tallahassee, FL
3. Mr. Carter Lambert, 2131 E Dellview Drive, Tallahassee, FL
4. Ms. June Vickers, 2125 Charter Oak Drive, Tallahassee, FL
5. Ms. Denise Griffin, 204 N Dellview Drive, Tallahassee, FL
6. Mr. Malcolm Earhart, 204 N Dellview Drive, Tallahassee, FL
7. Ms. Caroline McManus, 2119 E Dellview Drive, Tallahassee, FL
8. Mr. Lafton Smith, 288 N Dellview Drive, Tallahassee, FL
9. Ms. Carol Hokanson, 1915 Hollywood Drive, Tallahassee, FL
10. Ms. Ashley Hopkins, 2019 E Dellview Drive, Tallahassee, FL
11. Ms. Betsy Borges, 209 N Dellview Drive, Tallahassee, FL
12. Mr. Spencer Hopkins, 2019 E Dellview Drive, Tallahassee, FL

Mr. Eddie Bass, Moore Bass Consulting, 805 N Gadsden Street, spoke representing the applicant, explaining the reasons for the requested rezoning and addressing some of the neighbor's concerns.

Commissioner Madden made a motion to close the public hearing. Commissioner Dantin seconded the motion. The motion passed with a vote of 6-0.

The commission briefly discussed the proposed rezoning and then clarified for the citizens in attendance that the proposed rezoning would significantly decrease the intensity of future development on the site and that no additional commercial uses would be permitted that are not currently permitted under the existing Office Residential (OR-3) zoning.

Commissioner Proctor made a motion to find the proposed Ordinance 16-Z-06 consistent with the Comprehensive Plan and recommend that the City Commission adopt Ordinance 16-Z-06, thereby amending the Official Zoning Map to change the zoning classification from the Office Residential (OR-3) zoning district to the General Commercial (C-2) zoning district, based on the findings and conditions of the staff report and any evidence presented at the hearing hereon. Commissioner Dantin seconded the motion. The motion passed with a vote of 5-1 with Commissioner Madden voting against it.

F. GENERAL BUSINESS:

1. Planning Commission Appointee to the Leon County Affordable Housing Committee.

Commissioner Madden made a motion to appoint Commissioner Williams-Cox as the Planning Commission appointee to the Leon County Affordable Housing Committee, per Commissioner Williams-Cox's request. Commissioner Walker seconded the motion. The motion passed with a vote of 6-0.

G. GENERAL INFORMATION:

1. City or County Commission Decisions on items previously heard by the Planning Commission.
2. Tallahassee-Leon County Planning Commission/Local Planning Agency Bylaws Update

There was no discussion on either of these items.

The commission discussed scheduling a workshop to discuss possible revisions to the PUD process.

Commissioner Deyle made a motion to schedule a workshop. Commissioner Dantin seconded the motion. The motion passed with a vote of 6-0.

APPROVED:


ATTESTED:

Timothy Edmond, Chair

Beth Perrine, Recording Secretary

Minutes Approved on _____

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov</p> <p style="text-align: center;">Applications will be discarded if no appointment is made after two years.</p>	
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Name: Dianne Williams-Cox Date: 11-May-2015

Home Phone: (850) 556-0627 | Work Phone: (850)556-0627X | Email: dwmscox@gmail.com

Occupation: Project Manager | Employer: DWC Management Consulting Services

Preferred mailing location: Home Address

Work Address: 3539 APALACHEE PARKWAY STE 3 #157

City/State/Zip: TALLAHASSEE FL 32311

Home Address 2312 MAVIS CIRCLE

City/State/Zip: TALLAHASSEE FL 32301

Do you live in Leon County? Yes If yes, do you live within the City limits? Yes

Do you own property in Leon County? Yes If yes, is it located within the City limits? Yes

For how many years have you lived in and/or owned property in Leon County? 26.00years

Are you currently serving on a County Advisory Committee? No

If yes, on what Committee(s) are you a member?

Have you served on any previous Leon County committees? No

If yes, on what Committee(s) are you a member?

Are you interested in serving on any specific Committee(s)? If yes, please indicate your preference

1st Choice: Planning Commission 2nd Choice: Commission on the Status of Women and Girls

What cultural arts organization do you represent, if any?

None

If not interested in any specific Committee(s), are you interested in a specific subject matter? If yes, please note those areas in which you are interested:

Please see committees selected

If you are appointed to a Committee, you are expected to attend regular meetings.

How many days permonth would you be willing to commit for Committee work? 4 or more

And for how many months would you be willing to commit that amount of time? 6 or more

What time of day would be best for you to attend Committee meetings? Day, Night

(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.

Race: African American Sex: Female Age: 51

Disabled? No District: District 5

In the space below briefly describe or list the following: any previous experience on other Committees; your educational background; your skills and experience you could contribute to a Committee; any of your professional licenses and/or designations and indicate how long you have held them and whether they are effective in Leon County; any charitable or community activities in which you participate; and reasons for your choice of the Committee indicated on this Application.

I have served our local community in various roles including the following:
 President of City of Tallahassee Parks and Recreation Capital Park Baseball for more than 10 years; Bethel (Baptist) Empowerment Foundation for seven years; Past President of Chi Upsilon Omega Chapter of Alpha Kappa Alpha Sorority, Inc. where 2 terms of 2 year were severed; Past Cluster Coordinator for the South Atlantic Region of Alpha Kappa Alpha Sorority, Inc.; Member of various ministries at Bethel Baptist Church.

As a contributing member of this vibrant community, I believe that with my experience both professionally and in the community I would bring another prospective that may prove to be beneficial to the committee.

References (you must provide at least one personal reference who is not a family member):

Name: TOWANDA DAVIS Telephone: 8503218038
Address: 2300 MONACO DRIVE, TALLAHASSEE, FL

Name: ELAINE BRYANT Telephone: 8503213606
Address: 1882 CAPITAL CIRCLE NE #105 TALLAHASSEE, FL 32308

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP
AS A MEMBER OF AN ADVISORY COMMITTEE, YOU WILL BE OBLIGATED TO FOLLOW ANY APPLICABLE LAWS REGARDING GOVERNMENT-IN-THE-SUNSHINE, CODE OF ETHICS FOR PUBLIC OFFICERS, AND PUBLIC RECORDS DISCLOSURE. THE CONSEQUENCES OF VIOLATING THESE APPLICABLE LAWS INCLUDE CRIMINAL PENALTIES, CIVIL FINES, AND THE VOIDING OF ANY COMMITTEE ACTION AND OF ANY SUBSEQUENT ACTION BY THE BOARD OF COUNTY COMMISSIONERS. IN ORDER TO BE FAMILIAR WITH THESE LAWS AND TO ASSIST YOU IN ANSWERING THE FOLLOWING QUESTIONS, YOU MUST COMPLETE THE ORIENTATION PUBLICATION www.leoncountyfl.gov/bcc/committees/training.asp BEFORE YOUR APPLICATION IS DEEMED COMPLETE.

Have you completed the Orientation? Yes

Are you willing to complete a financial disclosure form and/or a background check, if applicable? Yes

Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee? No

If yes, from whom?

Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? No

Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? No

If yes, please explain.

Do you or your employer, or your spouse or child or their employers, do business with Leon County? No

If yes, please explain.

Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? No

If yes, please explain.

All statements and information provided in this application are true to the best of my knowledge.

Signature: Dianne Williams-Cox

This application was electronically sent: 5/11/2015 4:21:31PM

Objective

To obtain a professional opportunity to use skills acquired through Project Management, Business Analysis, Systems Analysis and other Information Technology experiences which will display demonstrated organization, customer service, and effective communication proven by 30 years of experience.

Profile

Results-oriented management professional with over twenty-five years of progressive responsibility and achievement in the development, deployment and maintenance of Information Technology solutions including proposal development, training, technical problem solving, staff development, business and system analysis, system integration, implementation, system testing, project planning, and long-standing record of good customer relations.

Consistently recognized for exceptional organizational, analytical and planning abilities, balanced with excellent interpersonal and communication skills; and possesses a strong track record of being a proactive problem-solver, effective team leader and achiever of established performance goals.

Areas of expertise: Information Technology, Business and Systems Analysis, Project Management, Planning Implementation, Quality Assurance, and Training

Skills Summary

- ◆ Experienced Project Manager
- ◆ Certified Project Management Professional
- ◆ Certified Public Manager
- ◆ 30 years of experience in IT Professional
- ◆ Proven Leadership Abilities
- ◆ Proficient in business and systems analysis
- ◆ Excellent Process Implementation skills
- ◆ Experienced in contract management
- ◆ Demonstrated ability to interact effectively with senior management
- ◆ Strong verbal and written communication
- ◆ Outstanding interpersonal skills
- ◆ Excellent issue resolution abilities
- ◆ Proficient in Microsoft Office Suite

Professional Experience

- 06/2011 – Present **DWC Management Consulting Services, LLC**
Owner and CEO
- ◆ Providing contractual services to clients in information technology and management consulting
- 03/2013 – 01/2014 **Department of Revenue Child Support Establishment**
Operations Review Specialist (Business Analyst)
- ◆ Provide support for Child Support System for customers
 - ◆ Identify changes and help with implementation of changes as needed
- 12/2012 – 03/2013 **ITT Technical Institute** – Tallahassee, Florida
Adjunct Instructor
- ◆ Provide weekly instruction and advisement for the following classes:
 - Risk Management in Information Technology Security
 - Information Technology Infrastructure Security
 - Client-Server Networking II
 - Introduction to Programming
- 03/2012 – 08/2012 **Brandt Information Services** – Tallahassee, Florida
Project Coordinator
- ◆ Developed the training deployment plan for a system implementation for over 1000 client sites
 - ◆ Developed the equipment deployment plan in support of the system implementation for over 1000 client sites
- 01/2008 - 06/2011 **State of Florida Office of Insurance Regulation - Tallahassee, Florida**
Director of Market Research and Technology
- ◆ Managed staff of ten in the technological support and collection of data from insurance companies licensed to do business in the State of Florida
 - ◆ Supervised the generation of reports for senior management, legislative and governmental decision support
 - ◆ Liaised between State of Florida Department of Financial Services Division of Information Systems and the Office of Insurance Regulation for technology services
 - ◆ Provided contract development and management for vendors providing staff augmentation services
 - ◆ Supported Chief of Staff with daily operational functions
 - ◆ Reviewed and provided comments on the adequacy of documents and took necessary steps to cure any deficiencies
 - ◆ Monitored multiple software changes to keep track of all changes made to mission critical systems

- ◆ Successfully led multiple key projects which resulted in increased reporting of needed insurance data in a user friendly environment
- ◆ Effectively controlled the release of updated hardware and software pertinent to office operations
- ◆ Prepared annual renewal of vendor contracts for attorney approval.
- ◆ Analyzed office documents for appropriate distribution and filing

07/2006 - 12/2007

**State of Florida Agency for Workforce Innovation
University of North Florida Early Learning Office - Tallahassee, Florida**

Project Manager

- ◆ Conducted business analysis which led to complete requirements for system analysis and development
- ◆ Liaised between project team and upper management (project director and sponsor)
- ◆ Monitored Early Learning Coalitions acquire knowledge of requirements for an centralized automated system
- ◆ Worked directly with Early Learning Coalition personnel in the various counties of Florida to achieve a comprehensive gathering of requirements and functionality needed
- ◆ Accurately utilized redline format to draft and review quarterly Operational Work Plan
- ◆ Analyzed project documents for appropriate distribution and filing

04/2005 - 05/2006

Chancery Software, Ltd - Vancouver, British Columbia

Requirements Engineer

- ◆ Conducted business and systems analysis to develop an automated system to reconcile between State of Florida Department of Education and the local school district in the calculation of funding for each full time student
- ◆ Worked directly with local school district and state personnel to achieve comprehensive requirements
- ◆ Researched and updated all required materials

03/2003 - 04/2005

State of Florida Department of Education - Tallahassee, Florida

Computer Application Support Manager

- ◆ Achieved timely and accurate reports in support of Bureau Chief
- ◆ Provided open door management for team of up to 20 employees
- ◆ Monitored multiple mission critical databases to keep track of all software changes
- ◆ Responsible for creative design of statistical reports for customers of the state's Bright Futures Scholarship program
- ◆ Planned, executed and managed staff augmentation grant with University of South Florida

- ◆ Supported Chief Financial Officer with daily operational functions
- ◆ Analyzed departmental documents for appropriate distribution and filing.
- ◆ Reviewed and provided comments on the adequacy of documents and took necessary steps to cure any deficiencies
- ◆ Prepared correspondence, accounting and financial documents for analysis

10/2001 - 03/2003 **State of Florida Department of Education - Tallahassee, Florida**

Data Processing Manager

- ◆ Achieved effective and efficient management of up to ten team members
- ◆ Increased repayment of student loans over two-year period.
- ◆ Developed new process for reporting and requesting system changes which resulted in a more efficient release management procedure
- ◆ Worked directly with unit manager to support data needs
- ◆ Supported Bureau Chief with daily operational functions
- ◆ Analyzed departmental documents for appropriate distribution and filing
- ◆ Reviewed and provided comments on the adequacy of documents and took necessary steps to cure any deficiencies

04/2001 - 10/2001 **Florida A&M University Computing Center - Tallahassee, Florida**

Computer Applications Specialist

- ◆ Supported upper management by generating reports from Student database based on request and performed other business and systems analysis

08/1998 - 10/2001 **Florida A&M University – Tallahassee, Florida**

Adjunct Professor

- ◆ Provided weekly instruction and advisement to students enrolled in the Computer and Information Systems Department. Classes taught included Introduction to Microcomputers and COBOL programming languages.

09/1994 - 12/2001 **Cox Computer Consulting Services - Tallahassee, Florida**

Owner

- ◆ Provided various information technology consulting services such as training, business and systems analysis, designing and development of software systems for Department of Labor, Department of Transportation, Department of Education and Systems Design of Tallahassee.

09/1986 - 09/1996 **State of Florida - Tallahassee, Florida**

Held various information technology positions with the following Departments:
Health and Rehabilitative Services (Programmer/Analyst),
Education (Programmer/Analyst II),

Management Services (Systems Project Analyst), Legislative Data Center
(Systems Analyst), Transportation (Safety Office LAN Manager)

06/1985 - 09/1986 **Harris Government Systems - Palm Bay, Florida**

Computer Programmer

- ◆ Provided software support through designing, coding, testing and modifying financial information systems application programs

Education

2006 **Project Management Professional (PMP)**

1993 **Nova Southeastern University**, Fort Lauderdale, Florida

Business Administration - Masters

1992 **Florida State University**, Tallahassee, Florida

Public Management – Certification

1985 **Florida A&M University**, Tallahassee, Florida

Data Processing Technology –Bachelor of Science

Affiliations and Community Associations

Bethel Missionary Baptist Church, Sunday School Teacher
Capital City Park Baseball, President
Capital City Democratic Women's Club, Past President
Capital Area Community Action Agency, Past Board Member
Leon County Democratic Executive Committee, Past Member
Alpha Kappa Alpha Sorority, Past President
C.K. Steele Scholarship, Honoree-2010

Volunteer

Hartsfield Elementary School, Advisory Council
Riley Elementary School, Advisory Council
Fairview Middle School, Advisory Council
Nims Middle School, Presenter
Rickards High School, PTSO President
Football Boosters, President
School Advisory, Chair
Basketball & Baseball, Booster
Florida High School, Football & Basketball Booster

December 15, 2015

John McFarlain
124 Marriott Drive
Suite 101
Tallahassee, FL 32301

Jim McShane
CareerSource Capital Region
325 John Knox Road
Atrium Building, Suite 102
Tallahassee, FL 321303

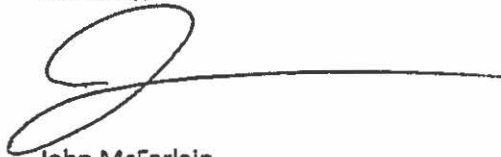
Dear Mr. McShane,

I am resigning from my position on the board of CareerSource Capital Region. Unfortunately, I am not able to dedicate the time that is required to contribute significantly to the success of the organization. I feel that it is in the best interest of both myself and CareerSource Capital Region if I step down from my board responsibilities at this time. I hereby relinquish all responsibilities of my board position, effective immediately.

I apologize for any inconvenience that my resignation may cause. If any clarification is needed in this matter, please do not hesitate to contact me. My cell phone number is 850-566-1833. I will return all messages as quickly as possible.

I wish the organization continued success and thank you for your patience and cooperation at this time.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a long horizontal line extending to the right.

John McFarlain

April 27, 2016

Honorable Bill Proctor
Chairman, Leon County Board of County Commissioners
Leon County Courthouse
301 S. Monroe Street
Tallahassee, FL 32301

Commissioner Proctor:

Based on the requirement that the Greater Tallahassee Chamber of Commerce must generate nomination and/or reappointment requests for individuals to serve on the CareerSource Board of Directors, we would ask that you consider the following member to serve for a three-year term.

Dave Hager, SPHR
Human Resources Director
Danfoss Turbocor Compressors Inc.

We would appreciate your consideration.

Sincerely,



Sue Dick
President/CEO, Greater Tallahassee Chamber of Commerce

CC:
Mary Smach
Jim McShane
Cheryl A. Cantley

EXECUTIVE COMMITTEE

Kathy Bell
Chair

Reggie Bouthillier
Chair-Elect

Rick Moore
Immediate Past Chair

Canita Gunter Peterson
Treasurer

Sue Dick
President

Terrie Ard

Elaine W. Bryant

Andrew Gay

Kim Kelling Engstrom

John Medina

E. Edward Murray Jr.

Heidi Otway

Michael Roberts

Ron Sachs

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT CAREERSOURCE CAPITAL REGION

It is the applicant's responsibility to keep this information current.
To advise the County of any changes please contact Christine Coble
by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov

Applications will be discarded if no appointment is made after two years.



Name: David Hager		Date: 4/28/2016 1:39:21PM
Home Phone: (850) 879-0101	Work Phone: (850)504-4816X	Email: david.hager@danfoss.com
Occupation: HUMAN RESOURCES DIRECTOR	Employer: DANFOSS TURBOCOR	
Preferred mailing location: Work Address Work Address: 1769 E. PAUL DIRAC DRIVE		
City/State/Zip: TALLAHASSEE, FL 32310		
Home Address 5669 BRAVEHEART WAY		
City/State/Zip: TALLAHASSEE, FL 32317		
Do you live in Leon County? Yes	If yes, do you live within the City limits? Yes	
Do you own property in Leon County? Yes	If yes, is it located within the City limits? Yes	
For how many years have you lived in and/or owned property in Leon County?		13 years
Are you currently serving on a County Advisory Committee? No		
If yes, on what Committee(s) are you a member?		
Have you served on any previous Leon County committees? No		
If yes, on what Committee(s) are you a member?		
<i>If you are appointed to a Committee, you are expected to attend regular meetings.</i>		
How many days permonth would you be willing to commit for Committee work?		1
And for how many months would you be willing to commit that amount of time?		2
What time of day would be best for you to attend Committee meetings?		Day, Night
<p>(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.</p> <p>Race: Caucasian Sex: Male Age: 56.00</p> <p>Disabled? No District:</p>		
<p>In the space below briefly describe or list the following: any previous experience on other Committees; your educational background; your skills and experience you could contribute to a Committee; any of your professional licenses and/or designations and indicate how long you have held them and whether they are effective in Leon County; any charitable or community activities in which you participate; and reasons for your choice of the Committee indicated on this Application.</p> <p>RESUME IS ATTACHED. I HAVE SERVED ON WORKFORCE DEVELOPMENT BOARDS IN NORTH CAROLINA. MY EDUCATIONAL BACKGROUND IS A BS IN ENGINEERING HOWEVER I HAVE HELD SENIOR POSITIONS IN HUMAN RESOURCES FOR THE PAST 15+ YEARS. I HAVE BEEN CERTIFIED AS A SENIOR PROFESSIONAL IN HUMAN RESOURCES (SPHR) SINCE 2003.</p>		

References (you must provide at least one personal reference who is not a family member):

Name: PAUL DEAN Telephone: 8507280237
Address: 1472 MITCHELL AVENUE TALLAHASSEE, FL 32303

Name: RICARDO SCHNEIDER Telephone: 8507280219
Address: 3783 E MILLER BRIDGE ROAD TALLAHASSEE FL 32312

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

AS A MEMBER OF AN ADVISORY COMMITTEE, YOU WILL BE OBLIGATED TO FOLLOW ANY APPLICABLE LAWS REGARDING GOVERNMENT-IN-THE-SUNSHINE, CODE OF ETHICS FOR PUBLIC OFFICERS, AND PUBLIC RECORDS DISCLOSURE. THE CONSEQUENCES OF VIOLATING THESE APPLICABLE LAWS INCLUDE CRIMINAL PENALTIES, CIVIL FINES, AND THE VOIDING OF ANY COMMITTEE ACTION AND OF ANY SUBSEQUENT ACTION BY THE BOARD OF COUNTY COMMISSIONERS. IN ORDER TO BE FAMILIAR WITH THESE LAWS AND TO ASSIST YOU IN ANSWERING THE FOLLOWING QUESTIONS, YOU MUST COMPLETE THE ORIENTATION PUBLICATION www.leoncountyfl.gov/bcc/committees/training.asp BEFORE YOUR APPLICATION IS DEEMED COMPLETE.

Have you completed the Orientation? No
Are you willing to complete a financial disclosure form and/or a background check, if applicable? Yes

Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee? No
If yes, from whom?
Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? No

Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? No
If yes, please explain.

Do you or your employer, or your spouse or child or their employers, do business with Leon County? No
If yes, please explain.

Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? No
If yes, please explain.

All statements and information provided in this application are true to the best of my knowledge.

Signature: Dave Hager

This application was electronically sent: 4/28/2016 1:39:21PM

DAVID HAGER, SPHR

5669 Braveheart Way | Tallahassee, FL 32317 | 850.879.0101
dave3283@comcast.net | www.linkedin.com/in/dbhager

PROFILE

Certified Human Resources professional with very strong HR generalist and leadership skills. Over 15 years of expertise in developing and implementing sustainable HR best practices in support of business strategic plans. In-depth knowledge of labor relations, legal compliance, performance management and employment law. Several years of experience as a production operations manager with significant Lean Manufacturing experience. High level of integrity, confidentiality and professionalism. Experience managing in both union and non-union environments for global companies with high growth, innovation and performance-driven models. Former U.S. Navy officer.

CORE KNOWLEDGE AND COMPETENCIES

Strategic Planning · Employee & Labor Relations · Employment Laws & Regulations · Performance Management
Contract Negotiations · Lean HR and Lean Manufacturing · M&A Integration · Organizational Design
Talent Acquisition · Compensation & Benefits · Payroll · Staffing & Recruiting · HR Best Practices
Legal Compliance · Human Capital Development · Succession Planning · AAP & EEO · TWI

PROFESSIONAL EXPERIENCE

Danfoss Turbocor

Human Resources Director (Tallahassee, FL)

2015 to Present

Responsible for establishing the strategic direction and administrative oversight for all people oriented activities within the organization, including recruiting, staffing, on-boarding, training and development, employee relations, compensation and incentives, payroll and benefits. Managed all HR activities including planning, salary administration, communications, personnel administration, community relations and performance management. Responsible for providing consistent application, administration and development of HR policies and procedures.

Koch Industries, Georgia-Pacific LLC

Senior Human Resources Manager (Perry, FL)

2008 to 2014

Led the management, administrative direction and coordination of all HR and labor relations functions for a 600+ employee, unionized, multi-site, chemical pulp manufacturing facility. Strategic business partner, HR advisor and mentor to the Business Leadership Team. Developed and implemented HR best practices and ensured alignment of HR activities with strategic business plans. Executed sustainable strategies for improving talent acquisition, performance management, employee relations, organizational design and deployment of Lean practices.

- Directed the resolution of over 225 union grievances or disputes, labor arbitrations, employment litigation issues, NLRB hearings, EEOC, OFCCP or other employment actions with over a 97% success rate.
- Led cross-functional 15-member team of senior staff to execute a post-merger integration. Reduced execution time by 25% from the corporate goal for the transition of payroll, benefits, retirement plans, HRIS, and other HR support systems to new platforms with over a 99.8% accuracy rating.
- Successfully implemented Lean practices in support of strategic business plans which included deployment of Lean tools, Lean visuals, Standard Work, 5S, A3 Reporting, Value Stream Mapping and TWI.
- Managed \$9.5 million healthcare budget. Implemented cost controls which resulted in limiting cost increases to 50% of the national average for the past four years with a total savings of \$1.1 million.
- 100% compliant with no discrepancies noted during multiple ISO 9000 and P&G quality audits (QAKE).

Buckeye Technologies Inc.

Labor Relations Manager (Perry, FL)

2003 to 2008

Directed labor and employee relations of 150 non-union salaried and 480 unionized hourly employees located at multiple Florida and Georgia sites. Developed and implemented labor policy and oversaw management of industrial labor relations. Represented the company in addressing, investigating and resolving employee issues which ensured consistent application and interpretation of labor agreements, regulations, policies, procedures and disciplinary

DAVID HAGER, SPHR

guidelines. Implemented several programs within business units that were designed to improve labor relations. Worked with management, union officials, and employees to foster and maintain a harmonious work environment.

- Successfully negotiated several labor agreements with PACE, USW and other labor unions.
- Favorably resolved over 325 labor issues including 210 grievances or disputes prior to arbitration.
- Won favorable decisions in over 80% of labor arbitration cases.
- Satisfactory rulings in 100% of EEOC, OFCCP, OSHA and DOL inquiries or charges.

Buckeye Technologies Inc.

Human Resources/Health & Safety Manager (Lumberton, NC)

1999 to 2003

Led a customer focused HR Department supporting a newly acquired 150 employee manufacturing division (*former Alpha Cellulose Corp.*). Key participant in extensive business reviews designed to facilitate movement towards progressive workplace practices while bringing the site into compliance with all DOL and OSHA requirements. Supervised M&A activities in HR, legal, labor relations, TQM, ISO, safety, health and fiscal compliance.

- Developed year-long action plan to resolve serious business and employee relations issues. Conducted management leadership training programs, resulting in improved management effectiveness and fewer employee complaints. This led to the decertification of the PACE labor union by the hourly employees.
- Designed and implemented a new technician work system with semiautonomous, high-performance work teams (P&G Integrated Work System model) in the manufacturing operation. Reduced workforce turnover by 60%, staffing by 12%, and overtime by 25%, in two years.

Procter & Gamble Company/Buckeye Technologies Inc.

Production Operations Manager (Perry, FL)

Through 1999

Excelled in several production operations manager positions of sequentially increasing responsibility for a 1500 tpd dissolving pulp and paper mill. Responsible for production planning, safety, reliability improvement, cost controls and technical operating procedure development. Led the daily operations and maintenance planning meetings, equipment troubleshooting, and execution of maintenance outages. Leader of several project, problem-solving and process mastery teams. Directly supervised up to 4 managers and 48 hourly technicians in each assignment.

MILITARY SERVICE

Lieutenant, United States Navy

- Qualified as a Navy Nuclear Chief Engineering Officer by the Department of Energy, Naval Reactors.
- SECRET security clearance. Honorable discharge.
- Base Command Duty Officer with responsibilities that included operations and security of a Navy base with 12 tenant commands and over 6000 personnel.
- Covered veteran awarded the Presidential Unit Citation, Navy Commendation Medal, Navy Expeditionary Medal, Armed Forces Expeditionary Medal, Battle "E" and two Sea Service Ribbons.
 - **Course Manager/Instructor, Fleet Combat Training Center, Dam Neck, VA**
 - **Radiological Controls Officer, USS Puget Sound (AD-38), Norfolk, VA**
 - **Assistant Engineer Officer, USS Virginia (CGN-38), Norfolk, VA**
 - **Nuclear Propulsion Officer, USS Virginia (CGN-38), Norfolk, VA**
 - **Engineering Duty Officer, USS Virginia (CGN-38), Norfolk, VA**

EDUCATION AND PROFESSIONAL DEVELOPMENT

B.S. Mechanical Engineering, Rutgers University, College of Engineering, New Brunswick, NJ.
GPA 3.8, *magna cum laude*. Tau Beta Pi honorary. College education was 100% self-financed.

Senior Professional in Human Resources (SPHR), Society for Human Resource Management
Certified SPHR professional since December 2003. Member of SHRM since 2000.

**Leon County
Board of County Commissioners**

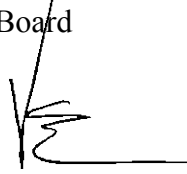
Notes for Agenda Item #4

Leon County Board of County Commissioners

Cover Sheet for Agenda #4

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Ratification of the April 26, 2016 Fiscal Year 2017 Budget Workshop

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator, Scott Ross, Director, Office of Financial Stewardship
Lead Staff/ Project Team:	Tim Barden, Principle Management and Budget Analyst Ryan Aamodt, Management and Budget Analyst Brent Rau, Management Analyst

Fiscal Impact:

This agenda item has a fiscal impact and establishes Board direction for the FY 2017 preliminary budget.

Staff Recommendation:

Option #1: Ratify the actions taken during the April 26, 2016 FY 2017 Budget Workshop, including the budget resolutions and associated amendments and modification to the Fiscal Planning Policy 93-44 (Attachments #1, #2, and #3).

Report and Discussion

Background:

As specified on the Board adopted budget calendar, a workshop was conducted on April 26, 2016. The purpose of the workshop was to provide staff direction regarding the development of the FY 2017 preliminary budget.

Analysis:

In accordance with the actions taken during the April 26, 2016 budget workshop, the Board authorized the following:

1. Workshop Item #1: Fiscal Year 2017 Preliminary Budget Overview

The Board approved Option #1: Accept staff's report on the preliminary budget overview. The Overview Item included the County Administrator's reorganization and associated reclassifications of existing positions utilizing existing budgeted personnel funds (Attachment #4).

As included in the agenda item, a Permit Technician (\$47,600) and reclassification of a vacant Environmental Review Specialist to Senior Engineer (\$21,500) is recommended to occur in the current fiscal year to be supported through increased fee revenue. To effectuate this change, the approval of a Resolution and associated Budget Amendment is necessary (Attachment #1).

2. Workshop Item #2: FY 2017 Review of Outside Agency Contracts for Services

The Board approved Options #1, #2, #3, and #5 as presented:

1. Provide continued contract funding for the following agencies at the previous year funding level in FY 2017:
 - a. Tallahassee Senior Citizens Foundation: \$179,000
 - b. Legal Services of North Florida: \$125,000
 - c. Tallahassee Trust for Historic Preservation: \$63,175
 - d. Oasis Center: \$20,000
 - e. Sustainable Tallahassee: \$8,800
2. Provide increased contract funding for Disc Village in the amount of \$37,000 for a total FY 2017 funding level of \$222,759. Develop a long-term contract that includes provisions for cost controls.
3. Discontinue funding (\$21,375) with Keep Tallahassee-Leon County Beautiful (KTLCB) and direct funding to the Office of Sustainability. Sustainability staff has identified specific efforts to more effectively engage community partners in addressing both volunteer beautification efforts and illegal dumping impacting the National Forest.

5. Approve Policy No. 93-44, Fiscal Planning is modified to reflect (Attachment #2):
 - a. Annually, as part of the annual budget process, staff will prepare a budget discussion item providing a mid-year performance report for all outside agency contracts and include funding recommendations for the following fiscal year.

In addition, the Board provided the following direction on Option #4:

1. To provide the following agencies with the current level of funding budgeted for FY 2017:
 - a. Whole Child Leon (FY 2016 funding level, \$38,000)
 - b. Domestic Violence Coordinating Council (FY 2016 funding level, \$25,000)
 - c. The Sharing Tree (FY 2016 funding level, \$20,000)
2. The Board also requested that a budget discussion item be prepared for the June 14, 2016 Budget Workshop with more detailed information regarding the following agencies:
 - a. St. Francis Wildlife Preservation – Additional information on the services provided by St. Francis Wildlife Preservation and the potential impacts if funding were to decrease or be eliminated. The analysis will also address how the organization’s efforts differ from Leon County Animal Control.
 - b. United Partners for Human Services – Additional information on current services being provided to the non-profit agencies and how these services could be enhanced or strengthened.
 - c. TMH Trauma Center – Additional information on the Trauma Center services and on how a possible phasing out of County funding could be implemented.

3. Workshop Item #3: Consideration of Additional Funding for the Kearney Center

The Board directed staff to include materials for the joint County/City Affordable Housing Issues Workshop on May 26, 2016 regarding homelessness and affordable housing options consistent with the Kearney Center’s funding request. Based on the outcome of the workshop, the Board may direct staff to prepare a budget discussion item for the June 14, 2016 Budget Workshop.

4. Workshop Item #4: Acceptance of the Minority, Women, and Small Business Enterprise Programs Evaluation Committee’s Final Report and Consideration of the Recommendations for Program Improvement

The Board approved Options #1, #2, #3, #4, #5, and #6:

1. Accept the FY 2015 MWSBE Expenditure Status Report.

2. Accept the MWSBE Programs Evaluations Committee's Final Report and continue to support a race/gender specific program to promote parity of MWSBE firms in Leon County Government procurement activities through the utilization of aspirational targets.
3. Approve the consolidation of the County and City MWSBE program under the Tallahassee/Leon County Office of Economic Vitality by May 16, 2016.
4. Direct staff to develop business assessment and educational opportunities through FAMU SBDC for the MWSBE program to leverage partnerships available through the economic development ecosystem.
5. Direct staff to move with a joint County/City RFP for a disparity study and include the following in the scope of work:
 - a. Anecdotal analysis of the MWSBE Program.
 - b. Develop a Tiered Certification Program taking into consideration other programs including but not limited to the City of Tallahassee's UCP Program and the FDOT DBE certification process.
 - c. Modifications to existing certification thresholds and size standards, if necessary.
 - d. Define measurable goals and benchmarks.
 - e. Examine methods to ensure contract compliance, monitoring, and enforcement.
 - f. Develop a uniform evaluation policy for applying the MWSBE targets to awarding projects.
 - g. Expenditure analysis for all County, City, and all other related agencies (i.e. CRA, CDA, and Blueprint).
 - h. Develop a Mentor-Protégé Program for certified MWSBE vendors.
 - i. Modifications to the SBE program including, but not limited to: graduation requirements, increase the set aside-ceiling for SBE projects to at least \$250,000, and automatically certify MWSBEs as SBEs, when eligible.
6. Direct staff to extend an invitation to Leon County Schools to determine their interest in participating in the disparity study.

5. Workshop Item #5: Consideration of Matching Funds for Springs Restoration Grant Funds

The Board approved Options #1, #2 and #3:

1. Authorize staff to finalize the Primary Springs Protection Grant submission for Woodville Sewer Design utilizing \$1.5 million in unallocated fund balance to be repaid from the County's share of the Blueprint 2020 Water Quality allocation.

2. Authorize staff to negotiate an agreement with the Florida Department of Environmental Management, Northwest Florida Management District, and the Florida/Leon County Department of Health for the acceptance of a \$750,000 grant to fund and evaluate a new Onsite Sewage Treatment and Disposal Systems (OSTDS) in the Wilkinson Woods subdivision.
3. Direct staff to continue to seek future Springs Restoration Grant Funds for the Northeast Lake Munson (\$2.75 million match) area and the Annawood/Belair area (\$1.75 million match), utilizing unallocated fund balance for the initial match requirements, to be repaid from the County's share of the Blueprint 2020 Water Quality allocation.

6. Workshop Item #6: Approval to Establish a \$1,000,000 Economic Development Incentive Fund for the Tallahassee/Leon County Office of Economic Vitality through \$500,000 Contributions Each by the County and City of Tallahassee

The Board approved Option #1: Approve the establishment of a \$1.0 million economic development incentive fund for the Tallahassee/Leon County Office of Economic Vitality, contingent upon a matching \$500,000 allocation by the City, as follows: realign \$356,000 of existing County QTI funds and \$144,000 from the fund balance, as reflected in the attached resolution and associated budget amendment (Attachment #3).

7. Workshop Item #7: Consideration to Include \$50,000 in the FY 2017 Budget and Draft Ordinance Amendments to Streamline the Nuisance Abatement Process

The Board approved Options #1 and #2:

1. Approve the allocation of \$50,000 in the preliminary budget to support the abatement of structures declared to be a public nuisance by the proposed Nuisance Abatement Board.
2. Authorize staff to draft a proposed ordinance streamlining the nuisance abatement process.

8. Workshop Item #8: Accept Staff Report on Infant Mortality Issues

Option #1: Accept the staff report to continue actively collaborating and participating with local stakeholders on targeted efforts and upcoming events to reduce the disparity and overall infant mortality rates including EMS outreach for infant specific CPR training.

9. Workshop Item #9: Consideration of Alternative Approaches for the Provision of Street Lights in the Unincorporated Area

The Board approved Options #1 and #2:

1. Direct County staff to develop program parameters and a draft ordinance that provides neighborhoods the ability to establish street lighting districts to be supported through a dedicated municipal services tax.
2. Direct County staff to develop a formal policy with specific criteria for the placement of street lights in the unincorporated area on County roads/intersections and establish an initial \$125,000 capital improvement project and corresponding recurring expenses of \$10,000 as part of the FY 2017 budget development.

10. Workshop Item #10: Consideration of Providing Funding to Hire a Mobility Fee Consultant in Coordination with the City of Tallahassee

The Board approved Option #1: Provide \$162,500 in the FY 2017 preliminary budget to hire a consultant to prepare a joint Mobility Fee Study with the City of Tallahassee.

11. Workshop Item #11: Consideration of Capital Improvement Funding for Boat Landing Improvements and Renovations

The Board approved Option #1: Approve the inclusion of \$125,000 per year in the FY 2017 – FY 2021 preliminary capital improvement program for Boat Landing Improvements and Renovations.

12. Workshop Item #12: Consideration of Capital Improvement Funding for the Northeast Park Trail Construction

The Board approved Option #1: Authorize the inclusion of \$250,000 next fiscal year in the FY 2017 – FY 2021 preliminary capital improvement program for the development and construction of a temporary trail and a temporary trail head at the NE Park located at Proctor Rd.

The Board also directed staff to seek input from other outside recreational trail-user stakeholders regarding the types of trails to be constructed.

13. Workshop Item #13: Establishing Guidance on the FY 2017 Millage Rate

The Board approved Option #1: Establish the preliminary maximum countywide millage rate at 8.3144 to be used in the development of the preliminary FY 2017 budget.

Options:

1. Ratify the actions taken during the April 26, 2016 FY 2017 Budget Workshop, including the budget resolutions and associated amendments and modification to the Fiscal Planning Policy 93-44 (Attachments #1, #2, and #3).
2. Do not ratify the Actions taken during the April 26, 2016 F Y 2017 B udget Workshop.
3. Board direction.

Recommendations:

Option #1

Attachments

1. Resolution and Associated Budget Amendment adding the Permitting Technician and reclassifying of a vacant Review Specialist to a Senior Engineer
2. Policy No. 93-44 Fiscal Planning Modifications
3. Resolution and Associated Budget Amendment for QTI funds
4. Budget Workshop Overview Item

RESOLUTION NO.

WHEREAS, the Board of County Commissioners of Leon County, Florida, approved a budget for fiscal year 2015/2016; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 129, Florida Statutes, desires to amend the budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Leon County, Florida, hereby amends the budget as reflected on the Departmental Budget Amendment Request Form attached hereto and incorporated herein by reference.

Adopted this 10th day of May, 2016.

LEON COUNTY, FLORIDA

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

ATTEST:
Bob Inzer, Clerk of the Court and Comptroller
Leon County, Florida

BY: _____

Approved as to Form:
Leon County Attorney's Office

BY: _____
Herbert W. A. Thiele, Esq.
County Attorney

Board of County Commissioners Leon County, Florida

Policy No. 93-44

Title: Fiscal Planning

Date Adopted: March 11, 2014

Effective Date: March 11, 2014

Reference: N/A

Policy Superseded: Policy No. 93-44, revised 2/8/2011; Policy No. 93-44, revised 11/16/04; Policy 93-44, adopted 8/10/93; Policy No. 92-3, AFiscal Planning,@ adopted 3/10/92

It shall be the policy of the Board of County Commissioners of Leon County, Florida that: Policy No. 93-44, revised by the Board of County Commissioners on February 8, 2011, is hereby superseded, and a revised policy is hereby adopted in its place, to wit:

The County will establish fiscal planning practices to:

1. Provide that the annual operating and capital budget for Leon County shall be developed in conformity with the Tallahassee-Leon County Comprehensive Plan by the Office of Management and Budget, under the advisement of the County Administrator and adopted as provided in State law by a majority vote of the Board of County Commissioners presiding in a public hearing.
2. Provide for the development and annual review of a capital improvement budget. This budget shall contain a 5-year plan for acquisition and improvement of capital investments in the areas of facilities, transportation, equipment and drainage. This budget shall be coordinated with the annual operating budget.
3. Provide that the Board of County Commissioners will continue to reflect fiscal restraint through the development of the annual budget. In instances of forthcoming deficits, the Board will either decrease appropriations or increase revenues.
4. Provide that the County will strive to better utilize its resources through the use of productivity and efficiency enhancements while at the same time noting that the costs of such enhancements should not exceed the expected benefits.
5. Provide that expenditures which support existing capital investments and mandated service programs will be prioritized over those other supporting activities or non-mandated service programs.

6. Provide that the County Administrator shall be designated Budget Officer for Leon County and will carry out the duties as set forth in Ch. 129, F.S.
7. Provide that the responsibility for the establishment and daily monitoring of the County=s accounting system(s) shall lie with the Finance Division of the Clerk of the Circuit Court, and that the oversight of investment and debt management for the government of Leon County shall lie with the Board of County Commissioners.
8. Annually, prior to March 31, the Board of County Commissioners will:
 - A. Establish a budget calendar for the annual budget cycle.
 - B. Confirm the list of permanent line item funded agencies that can submit applications for funding during the current budget cycle.
 - C. Establish the amount of funding to sponsor community partner/table events in an account to be managed by the County Administrator.
 - D. Provide direction to staff on a dditional appropriation requests that should be considered as part of the tentative budget development process.
9. Provide that this policy shall be reviewed annually by the Board of County Commissioners to ensure its consistency and viability with respect to the objectives of the Board and its applicability to current state law and financial trends.
10. Annually, as part of the annual budget process, staff will prepare a budget discussion item providing a mid-year performance report for all outside agency contracts and include funding recommendations for the following fiscal year.

Revised 3/11/2014

RESOLUTION NO.

WHEREAS, the Board of County Commissioners of Leon County, Florida, approved a budget for fiscal year 2015/2016; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 129, Florida Statutes, desires to amend the budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Leon County, Florida, hereby amends the budget as reflected on the Departmental Budget Amendment Request Form attached hereto and incorporated herein by reference.

Adopted this 10th day of May, 2016.

LEON COUNTY, FLORIDA

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

ATTEST:
Bob Inzer, Clerk of the Court and Comptroller
Leon County, Florida

BY: _____

Approved as to Form:
Leon County Attorney's Office

BY: _____
Herbert W. A. Thiele, Esq.
County Attorney

**FISCAL YEAR 2015/2016
BUDGET AMENDMENT REQUEST**

No: BAB16011
Date: 4/27/2016

Agenda Item No: _____
Agenda Item Date: 5/10/16

County Administrator

Deputy County Administrator

Vincent S. Long

Alan Rosenzweig

**Request Detail:
Revenues**

Account Information				Title	Current Budget	Change	Adjusted Budget
Fund	Org	Acct	Prog				
125	983016	334513	000	Qualified Targeted Industry Grant	-	356,000	356,000
125	983016	399900	000	Appropriated Fund Balance	-	144,000	144,000
					Subtotal:	500,000	

Expenditures

Account Information				Title	Current Budget	Change	Adjusted Budget
Fund	Org	Acct	Prog				
125	983016	58100	541	Aid to Government Agencies	-	500,000	500,000
					Subtotal:	500,000	

Purpose of Request:

This amendment appropriates \$500,000 for the establishment of a \$1.0 million economic development incentive fund for the Tallahassee/Leon County Office of Economic Vitality, contingent upon a matching \$500,000 allocation by the City, as follows: realign \$356,000 of existing QTI funds and \$144,000 from the fund balance. These funds would maximize future job creation opportunities that may arise prior to the availability of sales tax revenues in 2020, and would allow the joint Office of Economic Vitality to manage existing commitments on behalf of the County and City Commissions with a centralized fund for the issuance of reimbursements.

Group/Program Director

Senior Analyst

Scott Ross, Director, Office of Financial Stewardship

Approved By: Resolution Motion Administrator

Leon County Board of County Commissioners Budget Workshop Item # 1

April 26, 2016

To: Honorable Chairman and Members of the Board
From: Vincent S. Long, County Administrator
Title: Fiscal Year 2017 Preliminary Budget Overview

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator
Lead Staff/ Project Team:	Scott Ross, Director, Office of Financial Stewardship

Fiscal Impact:

This item has a fiscal impact and will establish Board direction in developing the FY 2017 Tentative Budget.

Staff Recommendation:

Option #1: Accept staff's report on the preliminary budget.

Report and Discussion

Background:

Historical Context and Budget Development Parameters

Though the County adopts a budget annually, the historic context of prior budget development is important and informative for subsequent budget cycles. Each budget is interdependent on prior actions and influences the future financial condition of the County.

In considering the development of the FY2017 budget, it is important to consider that over the last several years the County/Nation has come out of the longest and deepest recession since the Great Depression. The slow economic recovery caused continuous reductions in property and sales tax revenues for five consecutive years. Due to the slow economic recovery, the Board was deliberate in providing relief to citizens, during the toughest years the economy was in decline and at its bottom, by not raising fees and passing on property tax savings to the community.

During that time, by reviewing the organization from top to bottom and implementing Leon LEADs (Attachment #1), the Board reduced its budget by more than \$62 million and its workforce by more than 83 positions. The County was able to achieve more than a five percent reduction in the County workforce with no layoffs.

In addition to providing property tax relief to citizens, it was necessary for the Board to take a reasoned and deliberate approach to addressing the budget shortfall in County enterprise operations such as stormwater management, solid waste management and transportation services. During the recession and slow economic recovery, the Board consciously maintained the existing assessment rates for stormwater and solid waste. As the tide of the recession began to ebb, the Board consciously began implementing other sound financial management principles as stated in the Board's governance strategic priority:

Exercise responsible stewardship of County resources, sound financial management, and ensure that the provision of services and community enhancements are done in a fair and equitable manners (G5)

To implement this priority the Board adopted the following initiative:

- *Develop financial strategies to eliminate general revenue subsidies for business operations (i.e., Stormwater, Solid Waste, and Transportation programs)*

In FY 2014, the Board made great strides in achieving this initiative by reevaluating the fee structure for these enterprise operations. After the evaluation the Board: increased the stormwater assessment for the first time in over 20 years, in a manner that provided credits for low income senior citizens, and veterans, and to owners of properties with existing stormwater systems; and levied the additional five-cent gas tax in partnership with the City of Tallahassee receiving half of the revenue. After listening to the residents who used the rural waste service centers the Board opted not to close the centers, but rather enacted a modest fee to support the operation of the centers.

As stated, fiscal decisions made during an individual fiscal year have impacts beyond the current budget cycle. Over the past several budget cycles, previous financial leadership by the Board has positioned the County for long term fiscal stability. During hard economic times, the Board maintained fees and passed on significant property tax savings. Coming out of the recession, the Board tackled significant long term chronic fiscal issues (such as stormwater and transportation funding). The Board's actions have provided the necessary resources to continue maintaining the County as a financially viable organization. The Board's efforts were specifically recognized by the international ratings agency Fitch during the County's last bond rating review which increased the County's rate from a "-AA" with an unstable outlook, to an "AA" with a stable outlook; Fitch stated,

"The county's financial profile is characterized by prudent, forward-looking budgeting, high reserve levels, and strong liquidity supported by a demonstrated willingness to raise recurring revenues."

Initial FY2017 Policy Guidance

At the January 27 meeting, the Board established the FY2017 Budget development calendar. The budget calendar included conducting an April 26, 2016 budget policy workshop that allows the Board to discuss policy items that will affect the development and preparation of the FY 2017 budget. Policy items to be discussed during this workshop include those items specifically requested by the Board be included, as well as, additional policy issues that staff have prepared for Commission consideration:

- Review of Outside Agency Funding
- Consideration of Additional Funding Request for the Kearny Center
- Consideration of M/WSBE Evaluation Committee Recommendations
- Consideration of Matching Funds for Springs Restoration Grant Funds Consideration to Establish a \$1,000,000 Economic Development Incentive Fund for the Tallahassee/Leon County Office of Economic Vitality through \$500,000 Contributions Each by the County and City of Tallahassee
- Consideration to Include \$50,000 in the FY2017 Budget and Draft Ordinance Amendments to Streamline the Nuisance Abatement Process
- Accept Staff Report on Infant Mortality Issues
- Policy and Funding Alternatives to Address Street Lighting in the Unincorporated Area of the County
- Consideration of Funding for a Mobility Fee Study
- Consideration of Capital Improvement Funding for Boat Landing Improvements and Renovations
- Consideration of Capital Improvement Funding for the Northeast Park Trail Construction
- Guidance on the FY 2017 Millage Rate

Subsequent to the adoption of the Budget Calendar, at the March 8, 2016 meeting, the Board provided initial policy direction regarding the FY2017 budget development through the establishment of the maximum discretionary funding levels for FY 2017. At that time, the Board also established an increase of \$200,000 to support the FY 2017 Community Human Service

Partnership (CHSP), by setting the level at \$1.2 million. As noted above, the Board also requested a budget discussion item be prepared providing a complete analysis of all outside agency funding either through contract or as a direct line item.

The April 26 workshop is conducted early in the budget process to provide initial policy guidance on a number of issues; however, complete budget detail is still being reviewed and developed by staff. Final revenue estimates are still being prepared, preliminary property values will not be provided by the Property Appraiser until June 1, 2016; budgets are still being developed by the respective Constitutional Officers and have not been submitted to the County; and new health insurance rates have not been provided. County departments have provided initial operating and capital budget requests to the Office of Management (OMB) for review. OMB is analyzing preliminary budget requests for review by the County Administrator.

Additional direction provided at this budget workshop will be used in developing options for the preliminary budget that will be presented at the June 14, 2016 budget workshop.

Analysis:

The FY 2017 budget is being developed in a steadily improving economic environment, where growth in property tax revenues and state sales tax revenues are beginning to cover the inflationary costs of governmental expenses without having to reduce program services. Revenues are still slightly lower than prior to the recession and even as they continue to increase, County staff remains diligent in working as hard in evaluating the budget for opportunities to work more efficiently as when revenues were dropping precipitously. This year staff anticipates balancing the budget with no increase in the millage rate, growth in sales taxes and other revenues from an improved economy, cost avoidances through internal efficiency efforts and reducing the use of fund balances.

Revenue and Expenditure Discussion

The County is in the beginning stages of developing the budget. Final revenue and expenditure estimates will not be available until the June 14, 2016 budget workshop. Given this, Table 1 shows an estimated range of changes in revenues and expenditures for the FY 2017 budget.

**Table #1: Preliminary FY 2017 Estimated Change in Revenues and Expenditures
Including Potential Budget Shortfall**

Preliminary Estimated Changes in Revenues	In Millions	
Property Taxes with current millage rate (8.3144)	\$3.40	\$4.00
State Shared, ½ cent Sales Tax Revenues and CST	\$0.40	\$0.46
Gas Taxes	\$0.40	\$0.45
Public Services Tax	\$1.70	\$2.0
Interest Allocation	\$0.10	\$0.15
<i>Reduction in the Use of Appropriated Fund Balance *</i>	(\$1.00)	(\$1.00)
Total Estimated Change in Revenues	\$5.00	\$6.06
Preliminary Estimated Changes in Expenses		
Health Care	\$0.30	\$0.50
Retirement	\$0.60	\$0.80
Performance Raises, FICA, Workers Compensation, Overtime	\$1.80	\$2.10
Restoration of an additional Stormwater Maintenance Crew	\$0.20	\$0.25
Sheriff Pay Plan Adjustments	\$0.70	\$0.90
Other Constitutional Officer Increases	\$0.30	\$0.40
CHSP Funding Increase	\$0.20	\$0.20
Contractual Increases (e.g. CRA, City and vendor contracts)	\$0.80	\$1.00
Increase in the General Revenue Transfer to Capital	\$2.00	\$3.00
Other Increases (Probation, Medicaid, Maintenance & Repairs)	\$0.80	\$0.95
Mobility Fee Study-County Portion**	\$0.13	\$0.16
Nuisance Abatement Funding**	\$0.05	\$0.05
Supervisor of Elections: Election Cycle Cost Savings	\$(0.70)	\$(0.90)
Fuel Savings	\$(0.10)	\$(0.10)
Total Expenses	\$7.08	\$9.31
Preliminary Budget Shortfall Range	(\$2.08)	(\$3.25)

* Over the past several years, in order to balance the budget, the Board has appropriated \$4.0 million. Long term planning has out-year budgets using less fund balance as the economy improved. The negative \$1.0 million reflects the budget using \$3.0 million in fund balance compared to the prior year \$4.0 million.

** Budget Discussion Items

Comparing the upper end of the anticipated expenses reflects an increase of \$9.31 million to the lower end of revenue increases of \$5.0 million results in a preliminary shortfall of \$4.31 million. However, comparing the lower end of anticipated expenditure increases of \$7.08 million to the higher end of revenue increases of \$6.06 million results in a preliminary shortfall of \$1.02 million. As reflected in the table, there are other combinations of high and low comparisons which result in shortfalls falling somewhere between the \$1.02 million and \$4.31 million.

A brief explanation of the revenue and expenditures variances follows. Depending on final revenue estimated and budgeted expenses the gap could be slightly more or less.

Revenues

Ad valorem receipts are predicated on maintaining the current 8.3144 millage rate with property value growth rates estimated to increase in a range of 3% - 3.5% from the valuations used to develop the FY 2016 budget. Maintaining the current millage rate would raise ad valorem collections an estimated \$3.4 – \$4.0 million, which under the Florida Statute definitions will be

considered a property tax increase. During the “Great Recession”, the Board maintained the millage rate, and passed property tax savings to the community. Post-recession, long term planning by the Board, showed the millage rate being maintained in order to increase the ad valorem revenue needed to counter balance inflationary expenditure increases.

Increases in State Shared and ½ Cent Sales Tax revenue are anticipated to generate additional revenue of approximately \$700,000 to \$780,000. Total projections for these funds are slightly above the FY 2006 pre-recession collections, a further indication of a significantly improved economy. This increase is off-set by an estimated decline in the Communication Service Tax (CST) by \$300,000 - \$320,000. Statewide the CST has been in decline the past four years. Initially, Leon County was not following the trend: however the current fiscal year revenues are not meeting the projected forecast and the decline is anticipated to continue in FY 2017

Similar to increases in visitors and sales tax projections, gasoline consumption is also projected to increase modestly; gas taxes are expected to increase by \$400,000. This would suggest that motorists are taking advantage of the lower gas prices and automobile use is continuing to increase. However, as gas taxes are consumption based (taxes are per gallon, not a percentage of cost) with the continued increase in fuel efficiency, future revenue increases are projected to be modest or actually decline over time.

The Public Services Tax (PST) is anticipated to generate an additional \$2 million in FY17. The increase is due to two reasons: 1) The end of a 3 year repayment schedule to the City of Tallahassee of \$2.1 million for over payment of the PST to the County from FY 2010 – FY2013; and 2) a correction to the calculation of the tax on Talquin electric billings, which is anticipated to generate an additional \$1.0 million annually. *(Note: Staff is recommending these increased funds be allocated towards capital project funding in the unincorporated area; a detailed discussion is provided later in the overview item as part of the capital project funding analysis.)*

In addition, given the current low interest rate environment, interest earnings are expected to only modestly increase by \$100,000 to \$150,000.

Expenses

The largest operating expense in the budget is associated with personnel costs. This includes health care and retirement. Based on information from the County’s health insurance provider, health care costs are estimated to increase by seven to ten percent or an estimated \$300,000 to \$500,000 from the prior year budget. Final rates will not be available until late June or early July.

Again, in its effort to fully fund the actuarial liability (estimated shortfall) in the State of Florida Retirement System, the Legislature increased the cost to participate in the system by raising contribution rates. The largest increase was in the Regular Retirement (3.6%) and Special Risk Retirement (2.4%) categories. This will cause Leon County’s costs to increase by an estimated \$600,000 to \$800,000.

Currently the preliminary estimates for the FY 2017 budget reflect salary dollars, including workers compensation, F.I.C.A. and overtime increasing in the range of \$1.8 - \$2.1 million.

Preliminary analysis contemplates supporting the County's pay for performance structure with an increase of 0 - 5% (with a targeted average of 3%) based on job performance.

Other personnel costs include the implementation of the second year of the three year Sheriff pay-plan adjustment at an estimated cost of \$700,000 - \$900,000. This includes the implementation of a step pay plan, and the ability to hire deputies above the minimum range depending on education and other qualifications.

As stated previously, the Constitutional Officers have not yet submitted their FY 2017 budgets. Payments to the other Constitutional Offices, excluding the Sheriff, are anticipated to increase an estimated \$300,000 to \$400,000. This overall modest increase contemplates a planned decline in the Supervisor of Elections budget. Following the fiscal year of a presidential preference primary and the local primary elections in August, the Supervisor's budget will return to a normal funding level. The reduction is estimated to save \$700,000 to \$900,000 for FY17. \$200,000 of additional funding is included for the cost of the Tax Collector to cover an increase in property tax collections for the Board and the School Board.

In order to return to pre-recession service levels, the budget contemplates the restoration of a stormwater maintenance crew at an estimated cost of \$205,000 for FY17. In FY 2009 as part of planned budget reductions, Public Works reorganized the stormwater maintenance program for a savings of \$201,000. This reorganization essentially eliminated one crew, and reduced the County's capacity to perform any preventive maintenance on the stormwater system. Currently, the stormwater maintenance program is reactive and generally can only respond to calls and complaints when a problem occurs, such as blocked culverts. The restoration of the crew will allow the County to again focus on preventive maintenance and possibly avoid costly repairs as portions of the system fail due to lack of maintenance.

As part of establishing the maximum funding level for outside agencies, as directed by the Board at the March 8, 2016 meeting, the maximum funding level for the Community Human Services Partnership (CHSP) program was increased by \$200,000 to \$1.2 million. In conjunction with increasing the funding, the Board also authorized the entire \$1.2 million to be distributed as part of the 2017 CHSP cycle. This allows the increase in funding to blend with the current application cycle, avoiding the need for a mini grant distribution, which occurred after this amount was increased by \$175,000 in FY 2016.

Current estimates reflect the cost of contractual obligations increasing by \$800,000 - \$1.1 million. These include: increases to the County's agreements with the City for the animal shelter, parks and recreation, and 800 MHz radio services; and increase to the Community Redevelopment Agency due to anticipated property value increases in the Frenchtown and Downtown CRAs. Other increases include vendor contract payments associated with custodial, mowing, and turf management services.

Other contracted increases include the additional cost of the right of way maintenance for Capital Circle Northwest/Southwest in the amount of \$281,000. When Blueprint 2000 completes the project in 2016, Leon County will assume the maintenance of the right-of-way and landscaping. As noted in previous budget discussion items before the Board, as large capital infrastructure

projects are completed, the cost of maintenance becomes a budget issue. Maintenance needs associated with these projects are on-going and need to be addressed annually in the budget process.

In concert with Board actions in FY2016, staff is recommending increasing the recurring transfer to the County capital program in the amount of \$2.0 - \$3.0 million. During the recession, the County suspended the transfer of recurring dollars to the capital program, and instead relied on accumulated fund balances to fund capital projects. As documented last year, ideally \$4.0 to \$5.0 million in recurring funds should be transferred annually to cover capital expenses. The FY2016 adopted budget increased the total transfer to \$2.0 million. For FY2017, the recommended total recurring transfer would range from between \$4.0 and \$5.0 million.

Funding is tentatively included to consider covering half of the cost (\$162,500) to jointly fund the Mobility Fee Study with the City of Tallahassee in FY17. The total estimated cost of the Mobility Fee Study is estimated at \$250,000-\$325,000. A separate discussion is included to consider this funding.

Other costs that will require an increase in general revenue support include: Nuisance Abatement (\$50,000, a separate budget discussion item has been prepared); the Probation/Pretrial Program (\$80,000) for SCRAM alcohol monitoring equipment; maintenance and minor repairs to County buildings and vehicles (\$195,000 - \$245,000); software maintenance licensing (\$145,000), communications/telephone infrastructure and maintenance costs including entire upgrade of the Clerk's phone system (\$180,000) and Medicaid (\$250,000 - \$300,000).

Offsetting these increases are fuel savings associated with lower crude oil prices. These savings estimate at least \$100,000 in savings.

Not included in the preliminary budget is any additional funding related to the Kearny Center as presented in a separate budget discussion item.

Cost Avoidance and Savings

Coming out of the recession, the County has been deliberate in continuing to evaluate all expenditures with the same approach as when revenues were declining. Prior to developing the preliminary budget, County staff continually looks at efficiencies and cost avoidance throughout the year to avoid unnecessary increases in the budget and correspondingly award and recognize employee innovation. Through the County's Employee Awards program - I² (squared), to date the program has saved the County \$879,297 in recurring costs and \$74,801 in one-time costs. Examples of some savings include:

- **Adjusting the works hours for Animal Control from five days to seven days with no overtime: Savings \$54,353 annually.** In an effort to align current resources with citizen service demands, the Animal Control Division adopted a new weekly work schedule that expands coverage to two officers working Saturdays and Sundays. Previously, all five ACOs worked Monday through Friday and weekend coverage was provided through an on-call officer. This modification to the work schedule

- eliminated the need to add a position. The new hours also increased customer service since officers were now regularly available on the weekends.
- **Printer Consolidation and Copier Management: Savings \$130,586 annually.** Through the leadership of MIS, the copier contract was consolidated to one vendor, and the number of copiers reduced in work areas by centrally locating printers.
 - **Kinhega Roundabout: Savings \$3,000 annually.** The construction of the roundabout eliminated the need to signalize the intersection. This eliminated the need for the planned annual signal maintenance.

Attachment #1 provides a complete list of the savings provided by staff initiatives through this program.

Leon LEADS – Listening Sessions

In addition to continuously seeking opportunities to reduce costs, the County also regularly engages with our citizens and “customers” to identify what we are doing right and what we can do better. During FY 2016, approximately 30 LEADS Listening Sessions were conducted, involving more than 350 participants and dozens of staff members supporting the initiative’s success. The Listening Sessions resulted in nearly 180 proposed improvements to services and processes. Many of the suggestions will be implemented immediately and have no cost impact to the County. Some of the efforts are more long term in nature and will be implemented over the next several years.

The process produced a range of proposed improvements many of which are generally related to improved effectiveness, customer support and community outreach. A portion of the improvements have a potential fiscal impact (both positive and negative). These are still being evaluated and refined and will be addressed in the June budget workshop materials. However, some are worth noting now and are included below. Although all of the efforts are important, the following is intended to merely highlight some of the outcomes of the Listening Session process.

- **Possible Consolidation of City and County Animal Control:** Consider consolidation of animal services between the City of Tallahassee and Leon County. Consolidation could improve customer experience by removing service boundaries, providing for a single point of contact, avoiding duplication of services and reduce what are at times conflicting goals between enforcement and the role of the Shelter.
- **Enhanced Procurement Review:** Establish an informal "pre-bid" meeting with Purchasing and program areas. To be implemented immediately; prior to any bid, RFP, or other type of solicitation is "put on the street", Purchasing will coordinate a meeting with at least the following: Purchasing, OMB, MWSBE, Risk Management, and the departmental Program Manager(s). Other individuals will be invited as needed depending on the specific project/program. The meeting is intended to: ensure MWSBE targets are being established correctly, project budget is available based on current estimates, risk thresholds are established correctly, implementation timelines are understood by all entities, and to discuss any other issues that may require cross-departmental communication.

- **Modification of the Community Human Partnership Funding:** Evaluate the impact of transitioning to a 2-year funding cycle for CHSP. As the Board recently discussed the value of a 2-year funding cycle, listening session participants also expressed interest and support for the idea which would simplify and add efficiency to the application process.
- **Additional Community Outreach for the Utilization of Project Dox:** Specific recommendations include providing a lunch and learn session with the Tallahassee Builders Association concerning the use of Project Dox; developing training videos on how to use the application that could be posted on-line; and create an application checklist to ensure the a complete application has been submitted prior to the electronic upload.

Staff is continuing to evaluate a number of proposed improvements; certain elements may not be addressed until a subsequent fiscal year and other items upon further review maybe eliminated. Staff will proceed to finalize the recommended improvements and proceed to incorporate, as appropriate, the necessary information into the budget preparation as part of the June budget workshop.

Preliminary Staffing Discussion

Although the national, state and local economies continue to improve, County government continues to approach the annual budget process by identifying opportunities to constrain budgetary growth and to ensure the limited resources of the County continue to be aligned with the highest priorities of the Board. In developing the tentative FY 2017 Budget, staff continues to build upon this effort by reviewing positions to ensure the organization is optimizing the use of all resources.

During FY 2016 several events have occurred affecting County funded positions.

- With the planned closure of the landfill, five positions were eliminated at the Solid Waste facility with no layoffs. Personnel in the eliminated positions were transferred to vacant position within Public Works.
- As part of a result of a review of the Citizen Canopy Road Advisory Committee, the Forester position previously assigned to the Cooperative Extension Office was assigned to the Planning Department. This position, which will now be funded by the County and City, will assist in developing and implementing a Canopy Road Management Plan.

Prior to considering adding any newly funded positions, the County ensures that all existing positions are necessary to continue to support the highest priorities of County government. After thorough review and analysis, very limited position requests are being recommended in FY2017 in order to address basic public safety needs and infrastructure maintenance in Public Works, provide more efficient service in EMS billing, and to support increased permitting activity in DSEM. These positions include:

- As discussed in the preceding expenditure sections, the restoration of a six person stormwater crew in Public Works operations is being reviewed.

- The addition of a Safety Flagger for the Spot Repair Shoulder Crew. The addition of this position would bring the manning of this crew within the parameters of Florida Department of Transportation Safety Standards. Currently, the crew operates with one flagger, and to meet the required safety standards there should be two. The cost impact of adding this position is approximately \$37,000.
- Adding an EMS Claim Agent: With the implementation of the Affordable Health Care act, the requirements for filing Medicaid claims for ambulance services have increased. Due to circumstances surrounding the transporting of patients during emergencies it is difficult to obtain the required patient information in order to file a timely claim. This can cause a delay in payment and in some cases no payment at all if the patient information cannot be obtained. The addition of a claim agent would allow for quicker follow up after transport to obtain the necessary information and signatures from the transported patients, and allow for faster Medicaid reimbursements and fewer unpaid claims. Early analysis indicates that this position would cost approximately \$52,000, and would be funded from the additional revenue received from more timely claims.
- Adding a Permit Technician (\$47,600) and reclassifying a vacant Environmental Review Specialist to Senior Engineer (\$21,500). Permitting levels are continuing to increase year-over-year, and the staffing levels at Development Support and Environmental Department are still below the recession levels when the Department lost 18 positions due to a decline in development permitting activity. When the positions were eliminated, the long-term plan was to reinstate positions as permitting activity increased. Permitting activity began to increase in FY 2014 and since then seven positions have been added to the Department. Adding the positions allowed permitting review time to stay within performance metrics. All these positions have been funded by permitting fee revenue.

Permitting activity continues to increase and adding the Permitting Technician and reclassifying of a vacant Review Specialist to a Senior Engineer will allow staff to continue to process and review permits within acceptable time frames. The total cost of these position changes is approximately (\$69,150) and will be covered by permitting fee revenues. Staff recommends adding these positions during FY 2016, and recommends the inclusion of a budget amendment with the workshop ratification package at the May 10, 2016 Board meeting to effectuate this change.

Fund Balance

The current budget shortfall range contemplates the use of \$3.0 million in general revenue fund balance to balance the budget; a reduction from the current year usage of \$4.0 million. Depending on final revenue and expenditure estimates, the amount of recommended fund balances could be reduced further to balance the budget or increased to prior year levels. Fund Balance is typically accumulated to support cash flow, emergency needs, unforeseen revenue downturns and one-time capital projects. For the County's general funds, the balances have historically grown at a rate of \$4 to \$5 million a year. This is due to state budget requirements that counties budget 95% of expected revenues, and the nominal under expenditure of Board and Constitutional Officer's budgets. Hence, \$4 to \$5 million has not been an unreasonable amount

to budget given the constraints placed on County resources; however through this use, the historic accumulation of balances for significant one-time capital project (i.e. Consolidated Dispatch Center and Branch Libraries) has been reduced. Alternatively, without the fund balance accumulation, the County would need to consider the issuance of debt to support future capital project needs.

However, the Board needs to be aware that if the amount of fund balance utilized grows annually, this will become an unsustainable practice. If the Board grew the use of fund balance by only \$2 million a year (i.e. \$6 million FY2016, \$8 million FY2017, etc.), it would only take 4 or 5 years to deplete the entire fund balance. This would occur because the utilization would be occurring at a much higher rate than the replenishment. In addition, this would further diminish the Board's ability to provide fund balances for future capital projects.

Emergency Medical Services

During the development of the FY 2015 budget the Board approved using the EMS Fund Balance as the funding mechanism for the costs associated with the implementation of the EMS Professional Development Career Path, and the addition of an ambulance crew until such a time that the drawdown of fund balance approaches a level acceptable to the Board. At the time the fund balance was \$9.3 million, and the EMS policy minimum for fund balance was \$2.3 million.

The previous analysis indicated that fund balance could be used to support the addition of the ambulance and crew in FY 2015 and another ambulance and crew in FY 2018, and stay above the fund balance minimum policy until FY 2019 or FY 2020. An updated analysis indicates that these parameters are still holding true, and that the fund balance will stay within policy limits until FY 2020.

The estimated year end fund balance for FY 2016 is approximately \$8.1 million. The current policy minimum is \$2.9 million. In order to balance the EMS fund for FY 2017 approximately \$2.0 will need to be appropriated; however, due to the over collection of revenues based on the requirement to budget at 95% of anticipated revenues, and the under expenditure of budgets, actual fund balance use will be approximately \$1.3 million. Staff will prepare another update on the EMS fund balance annually as part of the budget process.

Fire Services

As directed by the Board, \$1,224,459 in unincorporated area general revenue fund balances was appropriated to cover 15% of the costs of providing fire rescue services to the unincorporated area for FY 2016. This fund balance use covers the 15% discount applied to the newly adopted fire rescue charge rates. When establishing the fire service rates, the Board approved this discount for FY 2017, which requires the appropriation of \$1,224,479 in unincorporated area general revenue fund balances for FY 2017. The discount will expire at the end of FY 2017, and the original fire service fee study rates will apply in FY 2018.

Capital Program Funding

The FY 2017 capital program is currently being reviewed, and final recommendation will be brought for Board consideration at the June 14, 2016 budget workshop. During the recession, to

assist in balancing budgets developed while revenues were in decline; the County reduced and in some years eliminated recurring general revenue transfers to the capital program.

In order to adequately fund the capital infrastructure needs of the community, the Board used reserves to fund capital during the recession. This allowed the Board to take advantage of lower construction costs during the economic decline, and provided a local economic stimulus through job creation by continuing to pave roads, build and expand libraries, and to construct the Public Safety Complex.

In order to fund the capital program adequately, ideally 4.0 - \$5.0 million in recurring revenue should be provided to the capital program. In FY 2015 the Board increased the recurring revenue to \$1.0 million and was able increase the transfer again to \$2.0 million in FY 2016. For FY 2017, a transfer of \$4.0 to \$5.0 million is contemplated. With continued growth in property values and other sales tax collection, the County may be a position in FY 2018 or FY 2019 to maintain the capital transfer at the \$5.0 million. Until then, this transfer gap to fund capital needs to be addressed. There are two complimentary ways to achieve closing the gap, 1) Use the additional recurring additional Public Service Tax revenue, and 2) Initiate another general revenue fund balance sweep.

Recurring Public Service Tax Revenue

As noted earlier in the workshop item, the public services tax (PST) is anticipated to generate approximately \$2.0 million in additional recurring revenue. For next fiscal year, staff is recommending that this increase in revenue be aligned with the initial expenditure priorities established by the Board at the retreat, as well as, one time funding needed to support other capital recurring needs. These projects include:

- \$125,000 Boat Landings (separate discussion item)
- \$250,000 Northeast Park Trail (separate discussion item)
- \$500,000 Preventative Maintenance Capital Project
- \$125,000 Street Lightening Capital Project (separate discussion item)
- \$1,000,000 one-time capital equipment purchases for re-establishment of stormwater maintenance crew

Following next fiscal year in FY 2018, the additional recurring revenue would continue to be allocated towards the County's capital program and provide the resources necessary to maintain the transfer level at \$4.0 to \$5.0 million annually. The increase in the annual transfer will allow for a lessor reliance in the future on fund balance sweeps to support the capital program. Historically, the County has accumulated fund balances to support large infrastructure projects, such as the Dispatch Center, the branch libraries and the library expansions.

To address the County's aging infrastructure, staff is recommending establishing a Preventative Maintenance Capital Project. Over the past several years the overall focus of the County's capital funding has been developed as a general maintenance program. However, the nature and age of much of the County's infrastructure can no longer be maintained. Recently, a storm event caused a washout of Tram Road due to the collapse of aging culverts. The Tram Road culvert

failure is an example of infrastructure reaching its end of life and therefore maintenance is no longer a viable option to prevent failure. Over the past two years some road maintenance projects have been delayed due to the identification of subsurface stormwater infrastructure that needs to be replaced prior to doing road maintenance.

For FY 2017, staff is proposing adding a \$500,000 to a new Preventive Maintenance Infrastructure capital project. This project would provide funding to replace aging infrastructure that is identified in association with regular maintenance projects. This will allow maintenance work to proceed with minimal interruption to the work schedule and prevent costs shifts from planned projects to address emergency repairs associated with the sudden failure of end of life infrastructure. The complete replacement of the culverts at Tram Road would be included in this capital project.

Fund Balance Sweep

To further assist in closing the long-term gap, staff is recommending another general revenue fund sweep in order to fund the capital program. Preliminary estimates indicate that \$10 million – \$15 million can be transferred to support the capital program and still maintain adequate general revenue fund balances above policy minimums. A detailed recommendation will be included as part of the June budget workshop.

These fund balances would also be used to support the long-term capital needs associated with maintaining the County infrastructure including:

- Stormwater and Transportation Infrastructure
- The County Jail and Sheriff's Complex
- Courthouse
- Main and Branch Libraries
- Parks and Greenways

Using both the recurring Public Service Tax and the general revenue funds sweep to support the County capital program provides an initial step in developing a long-term fiscally sustainable approach to funding the County's capital program.

Reorganization

The preceding analysis provides a broad overview of the projected budget for FY2017 and financial condition of the County. In order to be properly positioned to align the limited resources of the County with the highest priorities of the Board, the County Administrator must periodically make changes to the organizational structure to address current and foreseeable strategic and operational challenges and opportunities, and to ensure that the right people are in the right roles at the right time.

The following analysis provides the details of the organizational realignment proposed by the County Administrator. It is important that the Board of County Commissioners be fully apprised of all significant organizational restructuring. In fact, one of the key elements included in the

County Administrator's Strategic Intent Section of Leon LEADS: A Structure for Success, states:

"...County Commissioners are continually growing in their confidence that County staff and the organization have the capacity to carry out the Board's vision on the behalf of citizens. They are prepared, receiving timely, accurate and complete information and analysis upon which to make the best policy decisions. They recognize that County employees, at all levels, are innovative problem solvers who respect the will of the Board and are committed to exceeding the highest expectations of customer service."

As important, is the relationship our employees have with our citizens; as also stated in LEADS: A Structure for Success:

Citizens are empowered, engaged and have a sense of community. They feel that County Government is on their side, that decisions are made equitably and that their voice is heard. They feel respected and believe that county officials are responsible stewards of the community's resources.

County Employees fully embrace and live by our core practices, and enhance our people focused, performance driven organizational culture. County employees demonstrate pride in their work and in their community, always strive to improve levels of service and performance, and are empowered to help the people they serve.

The specific organizational and personnel changes, which follow, address issues and ideals critical to continued organizational effectiveness including: Succession Management, Talent Retention and Recruitment, and Diversity. As reflected in a separate budget discussion item, there is a recommendation to consolidate the County and City M/SWBE programs within the Office of Economic Vitality; the proposed re-organization contemplates this occurring.

Programmatic Restructuring:

This reorganization included an evaluation of existing programs and functions to ensure the optimization of resources, which resulted in the following organizational realignments:

- The Office of Resource Stewardship, in addition to the existing Sustainability, Waste Reduction and Cooperative Extension Programs, is being expanded to include Facilities Management and Parks and Recreation.

By placing both Parks and Recreation and Facilities Management staff under one office, this will allow the County to more efficiently utilize our maintenance staffs. Currently both divisions (Parks and Recreation and Facilities Management) maintain various structures (i.e. community centers, libraries, parks pavilions, etc.) and grounds (i.e. greenways, trails, facility flower beds, etc.).

Additionally, the County is responsible for thousands of acres of passive acreage. Aligning our Sustainability programs and Parks and Recreation together recognizes that our responsibility for these lands goes beyond today's active recreation. The need to

preserve (and expand) these natural community treasures is a critical component of being true resource stewards.

The realignment of Parks and Recreation also allows for the additional promotion of our park amenities as community resources. By associating all of the community centers and parks within one department, the County has the opportunity to leverage our community outreach for all of our recreational amenities.

To ensure a continued focus is placed on our commitment to properly implementing the American with Disabilities Act (ADA), the oversight responsibility will be moved from County Administration to Facilities Management.

- Solid Waste Management will be realigned to Public Works. With the closure of the landfill, the Solid Waste function will now be mainly focused on the day to day operations of the transfer station and the unincorporated area collection contract. Sustainability and Waste Reduction will remain within the Office of Resource Stewardship.
- Public Works Engineering will now include our facilities construction management function. Currently, the County has engineers, architects and construction management activities occurring in both Facilities Management and Public Works. As part of a previous reorganization, the entire Facilities Management Division was aligned as part of Public Works. This alignment has proven beneficial, however, it has become apparent that to truly gain the efficiencies desired a complete integration of construction management positions needs to occur. To accomplish this, the existing construction management related positions currently included in Facilities Management will become part of the Public Works Engineering. This allows the County to allocate these resources to the specific projects not based on a departmental basis, but based on the specific needs of the capital projects. These positions will be relocated to the Miccosukee Road Public Works facility.
- Realign Real Estate Management with the Office of Financial Stewardship. The County's Real Estate Management function is currently housed within Facilities Management. Real Estate Management's functions include management of the County's leases, right of way acquisition, tax deed acquisitions, and real estate portfolio management. Given the significant financial aspects of this division's responsibility, Real Estate is being aligned within the Office of Financial Stewardship. As the amount of available space to lease becomes reduced at the Government Annex and Huntington Oaks, an existing vacant real estate position is being eliminated; instead, the County now is utilizing the County's contract broker to assist in marketing available space. As part of the realignment, Real Estate will be housed within the Office of Financial Stewardship on the second floor of the Courthouse. This location provides a significant benefit as Real Estate staff works closely on a daily basis with the County Attorney's Office.

Organizational Structure Changes:

Attachment #2 provides a new organizational chart for Leon County. All of the changes associated with this reorganization were accomplished through the reclassification of existing positions. Any salary adjustments will be accommodated through existing personal services appropriation and contemplated in the FY2016/2017 proposed budget. Organizational structure changes include the following:

- The reclassification of a position to be titled **Assistant County Administrator**. This position will be responsible for the management of high priority issues requiring organization wide coordination and necessitates a high level of professional competency. The position provides a more manageable and effective span of leadership to the following offices: Intervention and Detention Alternatives, Public Safety, Human Services and Community Partnerships, and Library Services.
- The reclassification of a position to be titled **Assistant Public Works Director**. To provide a more manageable and effective span of control, this position will work closely with the Public Works Director in the management of all aspects of Public Works.

Personnel Changes

The preceding organizational restructuring addresses current and foreseeable strategic and operational challenges and opportunities, and better aligns programs and functions to ensure the optimization and coordination of resources. However, perhaps more importantly, it reflects a long-term conscious and continuous effort to ensure that the organization is actively developing professionals uniquely prepared to not only fill anticipated vacancies, but to build the capacity of the organization by expanding the institutional know-how and expertise of individual employees, to capitalize on the investment already made in our people, and to retain talent into the future. Again, all of these changes reflect the County's strong emphasis on succession management, talent retention, and diversity. Following are the specific details related to the personnel changes of the reorganization:

- **Wanda Hunter, Assistant County Administrator:** Wanda is currently the Director of Intervention and Detention Alternatives. Through her promotion to a newly established Assistant County Administrator, Wanda will oversee County community service offices including: Library Services, Human Services and Community Partnerships, EMS and the Office of Intervention and Detention Alternatives. Wanda has over 26 years of proven experience with Leon County. During her career, Wanda has worked through-out the organization in a number of progressively more responsible positions, including M/WBE, Employee Relations, Special Projects, and Pretrial Release. In her current role, Wanda continues to be a highly effective communicator, capable of working successfully with a diverse user community, including the Judiciary, State Attorney, Public Defender and law enforcement. Prior to joining Leon County, Wanda earned a Bachelor's degree from Florida State University. Wanda brings a depth of understanding and level of experience that strengthens the overall management structure of the County. With Wanda's promotion, Theresa Broxton will be promoted to the Director of Intervention and Detention Alternatives.

- **Robert Mills, Assistant Public Works Director:** Robert is currently the Director for the Office of Resource Stewardship. When filling positions, Leon County deliberately recruits and hires the best qualified candidates for the job. Robert has exceeded all expectations in his role as Solid Waste Director and Director of the Office of Resource Stewardship. During Robert's two and a half years with the County, he has been the lead in the transition to Waste Pro and the implementation of the rural waste service center automation. Robert has focused on developing his staff, providing exceptional customer service, and consistently seeking better ways at delivering services. Prior to joining the County, Robert earned an MBA and was a successful manager in top Fortune 500 companies in the waste management and automobile sectors.

Within Public Works, Mr. Mills will maintain day-to-day responsibility for Solid Waste Management. Additionally, Fleet Management will report directly to Mr. Mills. As noted, prior to joining the County, Mr. Mills had had extensive senior level work experience in the automotive industry.

In addition to his direct reports, Mr. Mills will also become integrally involved in the overall management structure of Public Works. This will allow the existing Public Works Director to work closely with Mr. Mills in developing an in-depth understanding of all aspects of the department's significant number of on-going operations, capital project implementation and coordination required with numerous outside agencies and partners. Additionally, this promotion provides the necessary time to properly plan for succession management and the corresponding time required for the knowledge transfer that is required to lead Public Works.

- **Maggie Theriot, Director of Resource Stewardship:** Maggie is currently the Assistant to the County Administrator for Organization and Citizen Solutions and has been with Leon County for over 12 years. During this time, Maggie has shown keen insight into organizational and community issues, while taking on greater areas of day-to-day responsibility. Prior to her current position, Maggie was an Analyst with the Office and Management & Budget and Operations Manager in the Division of Facilities Management. She holds Masters Degrees in both Public Administration and Urban Planning. During Maggie's tenure, she launched the County's Office of Sustainability and positioned the County to be a leader, not only locally, but also nationally through the County's Sustainability Summit and PACE initiatives. In returning to an expanded Office of Resource Stewardship, she is uniquely prepared to provide the leadership and coordination necessary to optimize the offices resources. With Maggie's new assignment, Andy Johnson will be promoted into the Assistant to the County Administrator position.

As part of the reorganization, the County Administrator identified the necessity of building organizational capacity through knowledge transfer and succession planning. We realize that by creating an environment that formally recognizes these needs will only further enhance our capability as an organization.

Conclusion

Fiscal decisions made during an individual year have impacts beyond the current budget cycle. Over the past several budget cycles, previous financial leadership by the Board has positioned the County for long term fiscal stability. During hard economic times, the Board maintained fees and passed on significant property tax savings. Coming out of the recession, the Board tackled significant long term chronic fiscal issues (such as stormwater and transportation funding). It bears repeating that the Board's actions have provided the necessary resources to continue maintaining the County as a financially viable organization.

For the purposes of today's workshop, the County is in the very early stages of the budget development process. The Constitutional Officers have not formally submitted their budgets, preliminary property values will not be provided by the Property Appraiser until June 1, and there are still legislative issues involving payments for the Department of Juvenile Justice and Medicaid that have not been resolved. In addition, budget staff is still reviewing the Departmental operating and capital budget submissions.

Even though the budget process is in the early stages, there are areas where staff seeks guidance in order to prepare materials for the upcoming June 14, 2016 budget workshop. These areas include:

- Review of Outside Agency Funding
- Consideration of Additional Funding Request for the Kearny Center
- Consideration of M/WSBE Evaluation Committee Recommendations
- Consideration of Matching Funds for Springs Restoration Grant Funds
- Consideration to Establish a \$1,000,000 Economic Development Incentive Fund for the Tallahassee/Leon County Office of Economic Vitality through \$500,000 Contributions Each by the County and City of Tallahassee
- Consideration to Include \$50,000 in the FY2017 Budget and Draft Ordinance Amendments to Streamline the Nuisance Abatement Process
- Accept Staff Report on Infant Mortality Issues
- Policy and Funding Alternatives to Address Street Lighting in the Unincorporated Area of the County
- Consideration of Funding for a Mobility Fee Study
- Consideration of Capital Improvement Funding for Boat Landing Improvements and Renovations
- Consideration of Capital Improvement Funding for the Northeast Park Trail Construction
- Guidance on the FY 2017 Millage Rate

The remainder of this workshop will be used to present and discuss these issues.

Options:

1. Accept staff's report on the preliminary budget overview.
2. Do not accept staff's report on the preliminary budget overview.

Recommendations:

Option #1

Attachment

1. I² Summary
2. Organization Chart

**Leon County
Board of County Commissioners**

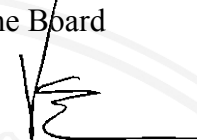
Notes for Agenda Item #5

Leon County Board of County Commissioners

Cover Sheet for Agenda #5

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Request to Schedule a Workshop on the Adult Civil Citation Program for July 12, 2016, from 1:00 – 3:00 p.m.

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Wanda Hunter, Assistant County Administrator

Fiscal Impact:

This item has no current fiscal impact.

Staff Recommendation:

Option #1: Schedule a Workshop on the Adult Civil Citation Program for July 12, 2016 from 1:00 – 3:00 p.m. to include the proposed participants.

Report and Discussion

Background:

During the Citizens to be Heard discussion at the April 12th meeting, the Board discussed local diversion programs relative to the criminal justice system and directed staff to schedule a workshop to include the following:

- An overview of existing diversion programs
- An analysis and possible amendments to strengthen the existing Adult Civil Citation Program

The Board also expressed interest for inviting key stakeholders to participate in the workshop.

Analysis:

Given the emphasis on considering enhancements to the Adult Civil Citation Program, staff recommends inviting each of the four signatory parties of the Adult Civil Citation Program and the Public Defender's Office to the Board Workshop. The proposed participants include:

- Court Administration
- State Attorney's Office
- Leon County Sheriff's Office
- City of Tallahassee
- DISC Village
- Public Defender's Office

The Board's calendar reflects that Tuesday, July 12, 2016 at 1:00 – 3:00 p.m. is available for the workshop. Upon Board approval, staff will reach out to each participant in order to prepare the materials for the Board Workshop.

Options:

1. Schedule a Workshop on the Adult Civil Citation Program for July 12, 2016, from 1:00 – 3:00 p.m. to include the proposed participants.
2. Schedule a Workshop on the Adult Civil Citation Program for an alternate date to include the proposed participants.
3. Do not schedule a Workshop on the Adult Civil Citation Program.
4. Board direction.

Recommendation:

Option #1.

**Leon County
Board of County Commissioners**


Notes for Agenda Item #6

Leon County Board of County Commissioners

Cover Sheet for Agenda #6

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of the Plat of Rhoden Hill Subdivision for Recording in the Public Records

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Tony Park, P.E., Director, Public Works
Lead Staff/ Project Team:	Joseph D. Coleman, P.S.M., County Surveyor

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Approve the plat of Rhoden Hill Subdivision for recording in the Public Records (Attachment #1).

Report and Discussion

Background:

As per Ordinance 07-20, plats submitted to the Board of County Commissioners for approval have met all requirements and have been certified by the county engineer. Once approved, the original of the approved plat will be forwarded to the Clerk of Court for recording in the public records.

Rhoden Hill, a private residential subdivision, was approved by the Development Review Committee as stated on the February 15, 2010 letter from Development Services (Attachment#2).

The development being platted consists of 32.20 acres containing 16 lots.

Analysis:

Rhoden Hill Subdivision is located in Section 1, Township 1 North, Range 1 East, located on the South right of way of Rhoden Cove Road as indicated on the site/location map (Attachment#3).

The appropriate departments and agencies have reviewed and inspected the subdivision. The comments have been reviewed and approval of the plat is recommended.

Since Rhoden Hill is a private subdivision and all infrastructure is complete, no performance or maintenance agreements/surety devices are required.

Options:

1. Approve the plat of Rhoden Hill Subdivision for recording in the Public Records (Attachment #1).
2. Do not approve the plat of the Rhoden Hill Subdivision for recording in the Public Records.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Rhoden Hill Plat
2. Development Review Letter
3. Location Map

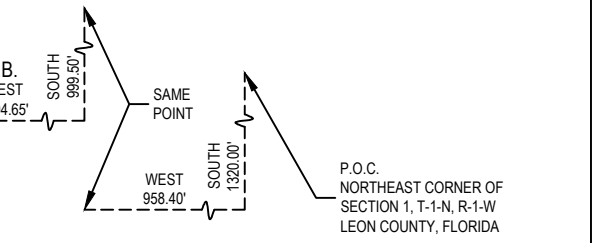
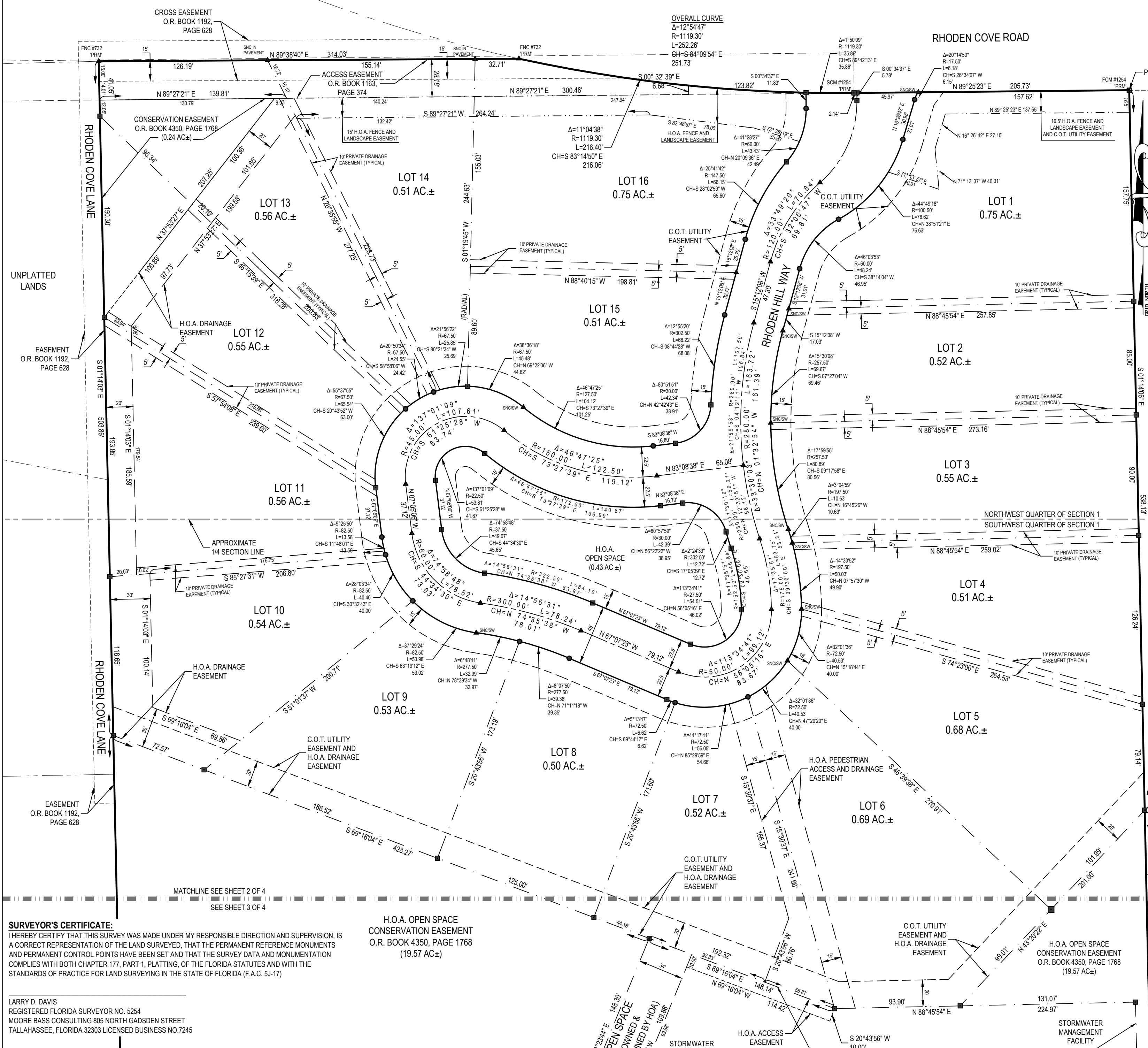
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RHODEN HILL

A SUBDIVISION LYING IN SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, LEON COUNTY, FLORIDA

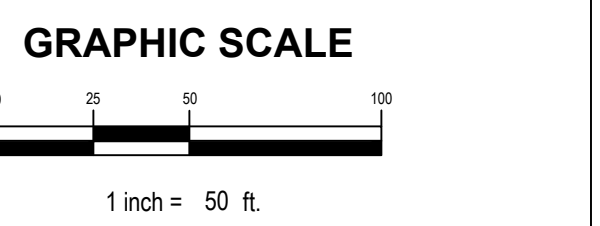
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CONSULTING
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805 N. GADSDEN STREET TALLAHASSEE, FL 32303 TELEPHONE (904) 222-5678
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#000	PROFESSIONAL LAND SURVEY CERTIFICATE
C.O.T.	CITY OF TALLAHASSEE
C.L.	CENTERLINE
CH	CHORD BEARING AND DISTANCE
Δ	DELTA OR CENTRAL ANGLE
E	EAST
FIR	FOUND IRON ROD (AS LABELED)
FIRC	FOUND IRON ROD W/ CAP (AS LABELED)
FNC	FOUND NAIL IN CAP (AS LABELED)
L	ARC LENGTH
N	NORTH
O.R./P.G.	OFFICIAL RECORDS BOOK AND PAGE
P.C.P.	PERMANENT CONTROL POINT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
R	RANGE
R	RADIUS
R/W	RIGHT-OF-WAY
S	SOUTH
SCM	SET 4"x4" CONCRETE MONUMENT LB#7245
SIRC	SET 1/2" IRON PIN W/ CAP LB#7245
SNC	SET NAIL IN 1" CAP LB#7245
T	TANGENT DISTANCE
W	WEST
SNC/SW	SET NAIL AND CAP IN SIDEWALK



SYMBOL LEGEND:

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- ▲ FOUND NAIL AND CAP AS LABELED
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- PCP ALL PERMANENT CONTROL POINTS ARE MARKED WITH A NAIL HAVING A METAL CAP AS SHOWN, UNLESS NOTED OTHERWISE.
- LB #7245 M.B.C. ALL INTERIOR CORNERS ARE MARKED WITH A 1/2" IRON ROD HAVING A PLASTIC CAP AS SHOWN, UNLESS NOTED OTHERWISE.

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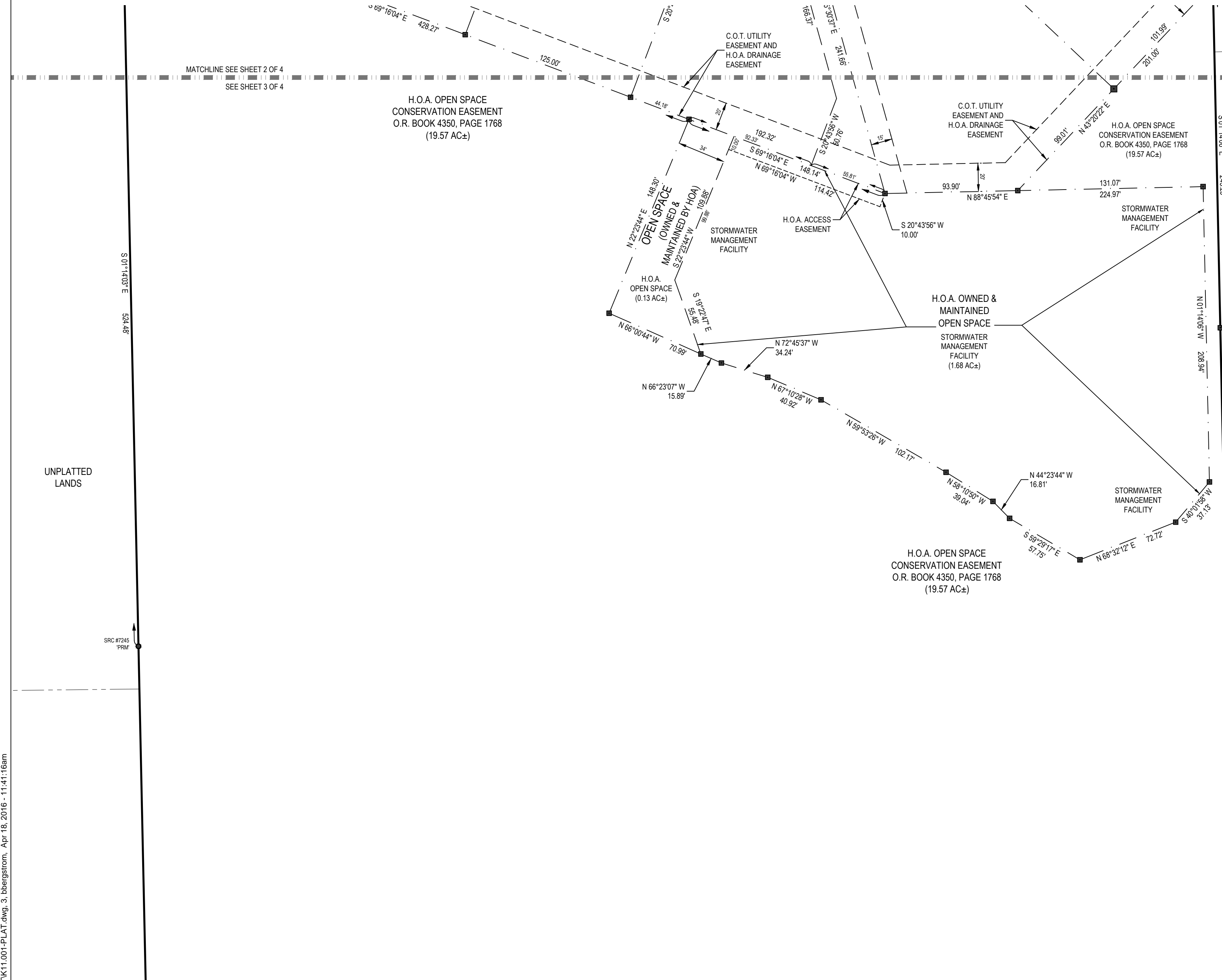
LARRY D. DAVIS
 REGISTERED FLORIDA SURVEYOR NO. 5254
 MOORE BASS CONSULTING 805 NORTH GADSDEN STREET
 TALLAHASSEE, FLORIDA 32303 LICENSED BUSINESS NO. 7245

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RHODEN HILL

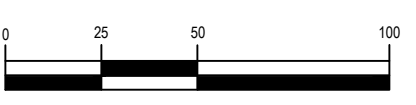
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GRAPHIC SCALE



1 inch = 50 ft.



UNPLATTED LANDS

UNPLATTED LANDS

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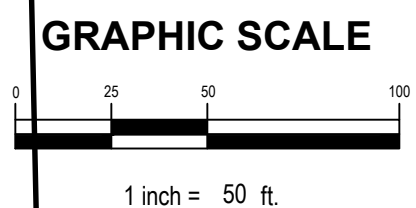
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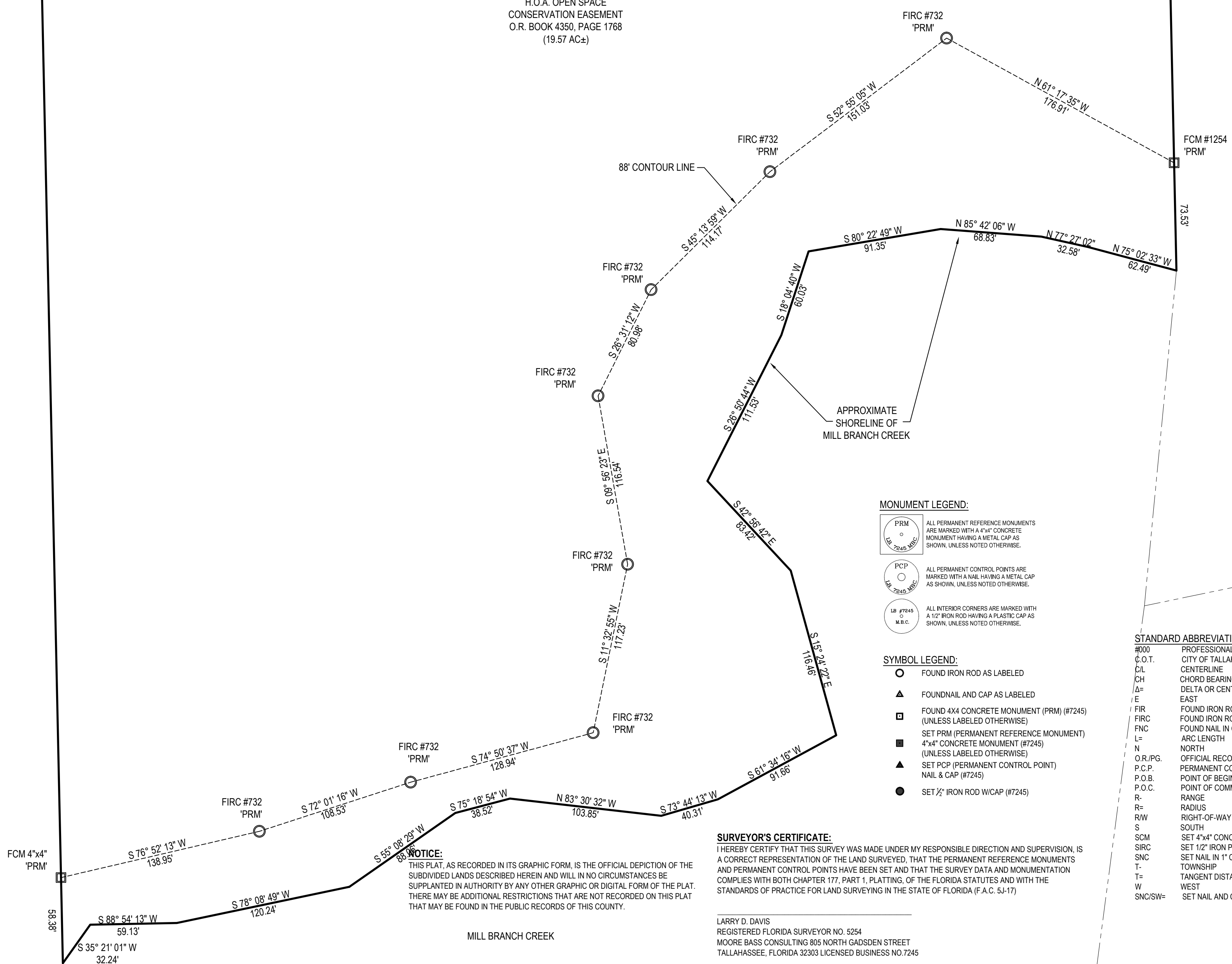
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- FNC FOUND NAIL IN CAP (AS LABELED)
- L= ARC LENGTH
- N NORTH
- O.R./PG. OFFICIAL RECORDS BOOK AND PAGE
- P.C.P. PERMANENT CONTROL POINT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R= RANGE
- R= RADIUS
- R/W RIGHT-OF-WAY
- S SOUTH
- SCM SET 4"x4" CONCRETE MONUMENT LB#7245
- SIRC SET 1/2" IRON PIN W/ CAP LB#7245
- SNC SET NAIL IN 1" CAP LB#7245
- T= TOWNSHIP
- T= TANGENT DISTANCE
- W WEST
- SNC/SW= SET NAIL AND CAP IN SIDEWALK

NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION, IS A CORRECT REPRESENTATION OF THE LAND SURVEYED, THAT THE PERMANENT REFERENCE MONUMENTS AND PERMANENT CONTROL POINTS HAVE BEEN SET AND THAT THE SURVEY DATA AND MONUMENTATION COMPLIES WITH BOTH CHAPTER 177, PART 1, PLATTING, OF THE FLORIDA STATUTES AND WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA (F.A.C. SJ-17)

LARRY D. DAVIS
REGISTERED FLORIDA SURVEYOR NO. 5254
MOORE BASS CONSULTING 805 NORTH GADSDEN STREET
TALLAHASSEE, FLORIDA 32303 LICENSED BUSINESS NO.7245

C:\Projects\K11.001\Workfiles\survey\PLAT\K11.001-PLAT.dwg, 4. bbergstrom, Apr 18, 2016 - 11:40:39am



Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Growth and Environmental Management Department
Development Services Division
Renaissance Center, 2nd Floor
435 N. Macomb Street
Tallahassee, Florida 32301-1019
Phone (850) 606-1300

Commissioners

BILL PROCTOR
District 1

JANE G. SAULS
District 2

JOHN DAILEY
District 3

BRYAN DESLOGE
District 4

BOB RACKLEFF
District 5

CLIFF THAELL
At-Large

AKIN AKINYEMI
At-Large

PARWEZ ALAM
County Administrator

HERBERT W.A. THIELE
County Attorney

February 15, 2010

Moore Bass Consulting, Inc.
c/o Edward E. Bass, III, P.E.
805 N. Gadsden St
Tallahassee, FL 32303

RE: Rhoden Hill Subdivision, a Type "B" Site and Development Plan (LSP090013)
Tax Parcel Identification Number(s): 21-01-20-203-000-0

Dear Mr. Bass:

The above mentioned project has been approved by the Development Review Committee (DRC) in accordance with County Code. A copy of the Site and Development Plan with approval signatures is being transmitted herewith for your records. By copy of this letter, signed copies are also being distributed to appropriate reviewing parties.

This site and development plan approval shall remain in effect until full development build-out (and until transfer of ownership of all created lots, if applicable). However, this approval shall expire if: substantial and observable development has not begun within three years of the date of approval; or, substantial and observable development ceases for a period of three years before the project is complete and certificates of occupancy have been issued.

Please call if you need additional information.

Sincerely,


Ryan D. Culpepper
Director, Development Services

Enclosures

- cc: David McDevitt, AICP, Growth & Environmental Management Director (letter only)
- Tony Park, P.E., Public Works Director (letter only)
- Scott Brockmeier, Development Services Administrator (letter only)
- Ernil Brady, Senior Plans Examiner, Building & Inspection (letter only)
- Nawfal Ezzagaghi, P.E., Environmental Review Supervisor (letter only)
- Joseph L. Brown, III, P. E., Director of Engineering Services (letter only)
- Kimberly Wood, P.E., Chief of Engineering Coordination
- Russell Snyder, Land Use Division Administrator, TLCPD
- Michael Hogan, Senior Stormwater Design Analyst
- Bruce Kessler, City of Tallahassee Utilities

Rhoden Hill Subdivision (LSP090013)
February 15, 2010
Page 2 of 2

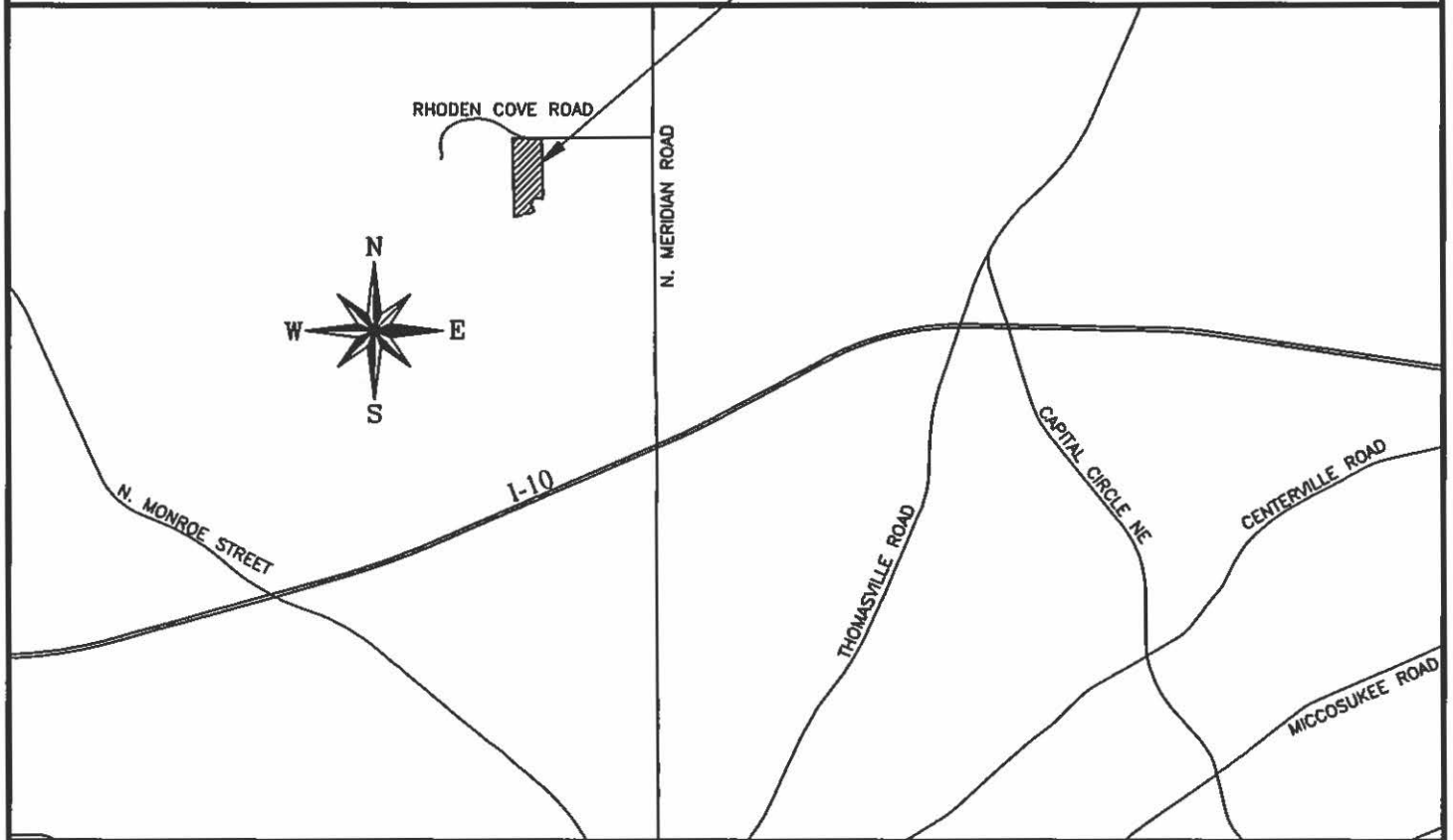
Maurice Majszak, Tallahassee Fire Department
Lisa Oglesby, Addressing Program Coordinator
Mike Waters, Leon County Property Appraiser's Office
Mark Stamps, Development Coordinator, Talquin Electric Cooperative, Inc.
Marcus Curtis, Planner I (letter only)
James L. Rhoden, 1292 Timberland Dr. SE, Marietta, GA 30067



SITE MAP

SCALE 1" = 1000'

RHODEN HILL SUBDIV.



LOCATION MAP

SCALE 1" = 5000'

**Leon County
Board of County Commissioners**

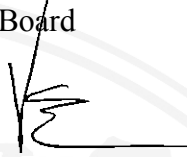
Notes for Agenda Item #7

Leon County Board of County Commissioners

Cover Sheet for Agenda #7

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of City of Tallahassee 2035 Master Sewer Plan Update

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/ Project Team:	Tony Park, P.E., Director, Public Works

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Approve the City of Tallahassee 2035 Master Sewer Plan Update (Attachment #1).

Report and Discussion

Background:

As part of the 2005 Water and Sewer Agreement (WSA), the City of Tallahassee is required to provide an update to the water and sewer master plans every five years. The 2030 Master Plan was approved by the Board on April 12, 2011, at the Infrastructure Sales Tax and Consideration of the Water Sewer Master Plan Workshop. Ratification of this action occurred at the April 26, 2011 Board meeting.

In the last five years, the City has completed the following sewer projects with a total investment of approximately \$8.95 million for gravity sewer expansions and reliability upgrades that potentially benefit unincorporated areas:

Capital Circle NW:

- Significant utility betterments were constructed, including water, gravity sanitary sewer, and sewer forcemains.

Cost - \$2,400,000

Maylor/Taylor Roads:

- Extended public water and sewer to areas served by private wells and onsite septic systems.

Cost - \$1,100,000

Vineland Road:

- Extended public sewer on Vineland Road to develop a gravity outfall for properties along US 90 which are served by onsite septic systems.

Cost - \$155,000

Springhill Road 30" Sewer Forcemain:

- Installation of a new 30" diameter ductile iron sewer forcemain along Springhill Road from Munson Slough to Springview Trail to replace a fiberglass forcemain.

Cost - \$890,000

Pump Station 92 Retrofits:

- Complete replacement of all pumps, controls, valves, electrical components, and emergency generator for a pump station located near the Buck Lake Road/Walden Lane intersection.

Cost - \$655,000

Pump Station 97 Retrofits:

- Complete replacement of all pumps, controls, valves, electrical components, and emergency generator for a pump station located on Maclay Road.

Cost - \$450,000

Pump Station 6 Retrofit:

- Complete replacement of all pumps, controls, valves, electrical components, and emergency generator for a pump station located on John Hancock Road.

Cost - \$200,000

Orange Avenue Gravity Sewer Installation:

- Installation of a 24" diameter gravity sewer along Orange Avenue. This main provides service to the English property and the Veteran's Hospital at Orange Avenue/Blair Stone Road. (Includes work along Blair Stone Road within City limits.)

Cost - \$3,100,000

Once approved, the Master Sewer Plan will serve as the basis for the City's annual submission of their proposed five-year Capital Improvement Program (CIP). The City Commission approved the Master Sewer Plan at its March 23, 2016 meeting.

The Master Sewer Plan serves as the framework document for meeting the Comprehensive Plan, Sanitary Sewer Level of Service Objective 1.3 "Needed sanitary sewer facilities will be provided in a manner which promotes orderly compact urban growth and maximizes the use of existing facilities."

The Master Sewer Plan allocates capacity in accordance with Policy 1.3.1 "Central Sewer shall be provided only in the urban service area or designated rural communities..."

Analysis:

The 2035 update covers the period from 2016 through 2035 and will serve as a guide for implementing operational and capacity improvements to the City's sanitary sewer collection system. It includes a sewer system computer model, evaluation of all City-owned pump stations, forcemains, gravity sewers 10" and larger, along with some smaller gravity lines for connectivity.

The Master Sewer Plan is voluminous as it contains research data, calculations, and graphics. Due to its size, a paper copy of the Master Sewer Plan is available for viewing at the Courthouse 5th floor lobby. For purposes of this agenda, Attachment #1 includes only excerpts from key sections of the Plan.

A summary of the key elements is as follows:

1. The study area was limited to within the urban services area (USA) with the exception of the Woodville Community.
2. For consistency, population projections were made using the Traffic Analysis Zones (TAZ) which is used for concurrency and other planning efforts.
3. All known developments were included in the projections, including but not limited to: Fallschase, Park Place, and Welaunee.

4. Included flows from areas currently served by Talquin's existing four plants. While this is sound planning for capacity improvements, it must be noted that Talquin's plants, while in the Wakulla Springs springshed, are located well outside the Primary Springs Focus (PFA) area. If these flows are redirected to the City system, additional nutrient loading would be directed to the sprayfield located within the Wakulla Springs PFA. Significant review would be needed to assure no adverse impacts to Wakulla Springs with the addition of this additional loading that is currently treated and disposed of outside the PFA.
5. The Master Sewer Plan contains programming for:
 - a. Capacity Improvements - \$8.5 million
 - b. Operational Strategy Improvements - \$22 million
 - c. Capital Projects Phase 1 (2015-2020) - \$22 million
 - d. Capital Project Phase 2 (2021-2025) - \$9 million
 - e. Capital Project Phase 3 (2026-2030) - \$2.4 million
 - f. Capital Project Phase 4 (2031-2035) - \$4.5 million
6. Per the 2005 Water and Sewer Agreement, the County pays the capital costs of systems designed and constructed in full compliance with their standards. None of the City's funding is allocated towards extending sewer into any of the County's targeted unsewered areas.
7. All the County's target unsewered areas are included in the capacity analysis:
 - a. Killlearn Acres
 - b. Buck Lake
 - c. Lake Jackson
 - d. Huntington Estates
 - e. Lake Munson
 - f. Woodville
 - g. Bobbin Mill
 - h. Centerville Trace
 - i. Rose Hill
 - j. Avondale
 - k. Harbinwood
 - l. Northwest Leon County Areas
 - m. Plantation Estates
8. Estimated cost for provision of sewer to these unsewered target areas is approximately \$238 million.
9. There are another nearly \$60 million in nontargeted areas needing sanitary sewer.

The County has been working with the City on the implementation of septic to sewer projects in the target Lake Munson area, such as Woodside Heights. This strong partnership provides tangible progress towards implementing strategies contained within the Wakulla Springs Basin Management Action Plan (BMAP) for the reduction of nutrient loading to Wakulla Springs.

The Master Sewer Plan provides the tools necessary to determine and plan for the sewer infrastructure needed to accommodate growth and flows from the unincorporated target areas within the USA and the rural community node of Woodville. This data and modelling tools will be a critical component as we potentially move forward with more key septic to sewer projects.

Options:

1. Approve the City of Tallahassee 2035 Master Sewer Plan Update (Attachment #1).
2. Do not approve the City of Tallahassee 2035 Master Sewer Plan Update.
3. Board direction.

Recommendation:

Option #1.

Attachment:

1. Excerpts of 2035 City of Tallahassee Master Sewer Plan Update



City of Tallahassee

300 South Adams Street B-26
Tallahassee, FL 32301

Excerpt from:
**2035 Master Sewer
Plan Update**

February 19, 2016
Final Report

Report Prepared By:



**Hatch Mott
MacDonald**

1545 Raymond Diehl Road, Suite 200
Tallahassee, FL 32308
850-222-0334

HMM Project No. 342595

Executive Summary

Introduction

This report presents the City of Tallahassee *2035 Master Sewer Plan Update*. The report contains an update to the City's existing Sewer Trunk System Model to include conceptual future piping, infrastructure, and projected wastewater flows through the year 2035. This report also provides hydraulic and capacity analysis observations, and recommends improvements for a 20-year Capital Improvements Program (CIP).

The CIP serves as a planning tool and is not intended to be used as a mandate to construct the projects. The City will need to monitor growth and may need to adjust the CIP schedule and timing of projects as growth occurs, and as dictated by economic feasibility and available funding. For example, growth in one development may occur more quickly than projected, and as such, certain improvements may need to happen sooner than indicated. On the other hand, growth may not return as quickly as projected, meaning certain projects will be delayed.

This report meets the requirements of the May 2005 Water and Sewer Agreement between the City of Tallahassee and Leon County, which stipulates that the City maintain a long-range master plan for the provision of sewer service.

Hatch Mott MacDonald (HMM) was selected by the City to perform the 2035 Master Sewer Plan Update and also completed the 2030 Master Sewer Plan in 2010. An overview of the key components of the project is highlighted below.

2014 Trunk System Model Summary

The existing 2014 Trunk System Model consists of all City-owned pump stations and force mains, along with gravity sewers 10 inches and larger in diameter. Some gravity sewers less than 10 inches are included only to ensure connectivity between the existing gravity and force main systems.

Urban Service Area Population Projections

The Master Sewer Plan Update service area is the area within the existing USA and Woodville. HMM received GIS information from the City containing 2007 and 2035 population projection information. This population data is categorized according to TAZ boundaries, and includes all of Leon County.

Executive Summary

The consultant used linear interpolation and GIS to estimate TAZ populations for years 2015, 2020, 2025, 2030, and 2035. Population projections were multiplied by 100 gallons per capita-day (gpcd) to estimate the total wastewater flow for each planning year.

Unsewered Area Evaluation Summary

A detailed analysis, including updated opinion of probable construction cost, of 13 unsewered target areas was performed to determine the present day cost required to provide central sewer to these areas. HMM personnel studied each area to verify the general topography, the extent of existing development, and the proximity to existing sanitary sewer system infrastructure, from which new infrastructure would be extended to serve each respective area.

Other Franchise and Unsewered Areas Evaluation Summary

Talquin Electric Cooperative (Talquin) has four water and sewer franchise areas within the existing USA. Talquin owns and operates a wastewater treatment plant in each of its four USA franchise areas.

Wastewater flows from each of the four Talquin franchise areas for this 2035 Master Sewer Plan Update were estimated as described previously. All 2035 projected wastewater flow from the four TEC franchise areas has been incorporated into the 2035 Trunk System Model.

In order to ensure flow from other unsewered areas was included in the overall 2035 Master Sewer Plan Update, HMM and the City worked jointly to adjust and expand the sewershed basin boundaries to include the entire USA. These new basin demarcations subdivide the entire USA into discrete sewersheds, most of which will be served by an existing master pump station.

2035 Trunk System Model Summary

The 2035 Trunk System Model was adapted by the City from the 2030 model created for the 2030 Master Sewer Plan, completed in 2010.

This model contains all force mains and pump stations, and all gravity sewers 10-inches diameter and larger. Reaches of gravity sewer less than 10-inches diameter were included where required for connectivity.

Executive Summary

Once the 2035 dry- and wet-weather Trunk System Models were fully established and running, HMM performed a capacity and operational assessment of the gravity sewer system, pump stations, and sewer force main system, in order to establish an updated 2035 infrastructure solution set.

Sewer System Capacity Analysis Summary

The model's gravity sewer system capacity was analyzed on a depth-of-flow basis. Gravity sewers flowing full were considered to be at 100 percent capacity to identify potential problem areas. There are no overflowing, or "flooding," manholes in the final wet-weather 2035 Trunk System Model. There were several reaches of gravity sewers flowing full under the 2035 wet-weather scenario. Profiles of several longer stretches of gravity sewers flowing full were extracted from the model output. The majority of the surcharging conditions do not warrant additional analysis or concern.

A force main capacity analysis was also performed, using a limiting condition of 6.5 feet per second (fps) maximum instantaneous velocity. The majority of these force mains have average velocities much less than 6.5 fps. Four reaches of the Capital Circle Force Main have average velocities above 10 fps.

20-Year Capital Improvements Program Summary

A sanitary sewer system 20-Year Capital Improvements Program through the year 2035 was developed. At the City's request, the 20-Year CIP lists improvements in one-year increments through 2020, then in five-year increments thereafter. This phasing plan is for general guidance only, and individual projects will be driven by both policy decisions and available funds as the City's sewer system expands.

Summary & Recommendations

- The City of Tallahassee's *InfoSWMM* Trunk System Model represents a valid working model of the existing system as of 2014. All model entities are matched one-to-one with the City's GIS.
- A detailed analysis of 13 unsewered target areas was performed to determine the present day cost required to provide central sewer to these areas.
- Population projections for the existing USA were established via TAZ data provided by the Tallahassee – Leon County Planning Department (2014).

Executive Summary

- The 2035 Trunk System Model was established to provide sewer service to the entire existing USA, and the Woodville Rural Community.
- Capacity analysis of the gravity system showed minor manhole surcharging in the system during wet-weather. Most of the observed gravity system surcharging is of little concern, due to minimal surcharging of manholes and significant system storage capacity prior to surface discharge (manhole “flooding”). Minor surcharging of the system and manholes without detriment to connected customers or risk of overflow is acceptable, practical and economical. These reaches should be periodically reviewed for rehabilitation, repair, or replacement in order to reduce RDII entering the system upstream of the applicable area.
- The Shannon Lakes area tributary to PS84 should be monitored as the flows in this area of the system increase over the Master Planning period. This trunk system was identified in the 2030 Master Sewer Plan, prepared in 2010, as an area of interest, due to irregular pipe slopes, negative pipe slopes, and larger pipes upstream of smaller diameter pipes.
- All pump stations were reviewed for both dry- and wet-weather operation, and some inefficiencies in pump cycle times were observed, many of which may be rectified by adjusting pump operating levels. Several pump stations run minimally throughout the day and have significant capacity available for future flows.
- The wet-weather force main capacity analysis revealed several instances where force mains are either nearing or are exceeding capacity, based on a limiting condition of 6.5 fps. Velocities in four reaches of the large diameter CCFM average 10 fps and above.

The following recommendations are offered to the City as a result of this project:

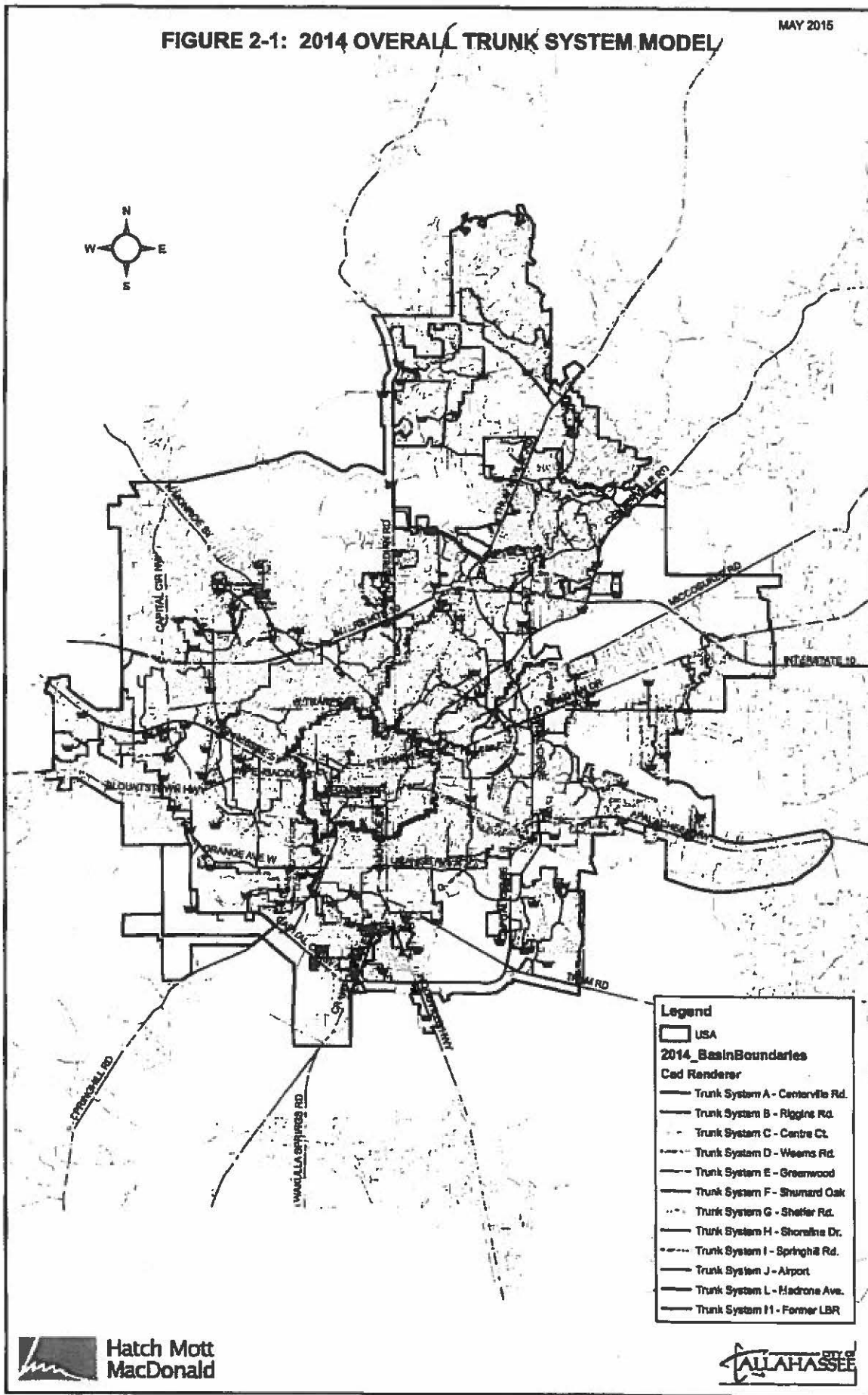
- Continue updating the model’s physical data, calibration (via flow monitoring), and operating scenario(s) to reflect evolving system conditions, operating protocol(s), and bypassing capabilities.
- Develop a Trunk System Model maintenance guidelines and specifications protocol, to ensure modifications are uniformly made to the Trunk System Model by all entities who use of the model. A semiannual update period is recommended.
- Consider adjustments to several pump station operating levels, to better equalize the stations’ performance.

Executive Summary

- Consider modifications to several pump impellers and/ or motors, to better equalize the stations' performance, enabling pumps to operate more efficiently.
- Now that RDII into Pump Station 36 trunk system has been studied via a flow monitoring program, remedial actions should be undertaken where practicable to reduce flows into and out of this pump station.
- Continue coordinating development of the Capital Circle West/ Southwest Force Main with the proposed widening of Capital Circle.

FIGURE 2-1: 2014 OVERALL TRUNK SYSTEM MODEL

MAY 2015



02/19/2018

**TABLE 7-1: USA Master Plan Projects
(Continued)**

Large Unsewered Area Improvements (Not Included in Target Unsewered Areas)

Project ID	Project Description	Construction Cost	Engineering/ Inspection Cost	Estimated Capital Cost
A-09	Maclean Hills	\$3,455,000	\$588,000	\$4,043,000
A-10	Ox Bottom	\$5,423,000	\$922,000	\$6,345,000
A-11	Spencer	\$2,832,000	\$482,000	\$3,314,000
A-12	High Grove	\$3,896,000	\$663,000	\$4,559,000
A-13	Veida Dairy	\$2,602,000	\$443,000	\$3,045,000
A-14	Rabbit Pond	\$2,553,000	\$435,000	\$2,988,000
B-01	Middlebrook	\$728,000	\$124,000	\$852,000
D-03	Apalachee Parkway East	\$416,000	\$71,000	\$487,000
D-06	Davis Subdivision	\$1,974,000	\$336,000	\$2,310,000
D-07	Tongue Hill	\$1,974,000	\$336,000	\$2,310,000
D-08	Windwood Hills	\$1,322,000	\$225,000	\$1,547,000
D-09a	Apalachee Pkwy / Williams Road	\$2,004,500	\$341,000	\$2,345,500
D-09b	Apalachee Pkwy / Williams Road	\$2,108,000	\$359,000	\$2,467,000
D-10a	Twin Lakes Subdivision	\$543,000	\$92,000	\$635,000
D-10b	Twin Lakes Subdivision	\$1,368,000	\$232,000	\$1,600,000
E-01	CCSE (Sembler) Pump Station & Force Main	\$522,000	\$89,000	\$611,000
H-08	West Tennessee Street Pump Station	\$360,000	\$62,000	\$422,000
H-09	West Jackson Bluff	\$5,183,000	\$882,000	\$6,065,000
H-16	W. B. Rodgers Gravity Main	\$389,000	\$67,000	\$456,000
H-20	Highway 20 West	\$1,979,000	\$337,000	\$2,316,000
H-21	Highway 90 West	\$6,178,000	\$1,051,000	\$7,229,000
I-02	Lake Bradford Road	\$3,333,000	\$567,000	\$3,900,000

Total Large Unsewered Area Improvements \$59,846,500

Total Estimated Capital Cost \$328,025,500

Notes:

- 1) Blue text = capacity related improvements.
- 2) Red text = target unsewered area related improvements.
- 3) Green text = operational strategy related improvements.
- 4) Purple text = large unsewered area related improvements.

Estimated Total of City of Tallahassee CIP \$38,134,500

Total of Currently Unfunded Projects \$289,891,000



Sort by Project Type



02/19/2016

**TABLE 7-1: USA Master Plan Projects
(Continued)**

Target Unsewered Area Related Improvements

Project ID	Project Description	Construction Cost	Engineering/ Inspection Cost	Estimated Capital Cost
A-07	Rose Hill	\$3,839,000	\$653,000	\$4,492,000
A-08	Killearn Acres	\$22,315,000	\$3,794,000	\$26,109,000
C-01	Centerville Trace	\$5,188,000	\$882,000	\$6,070,000
D-05	Buck Lake	\$32,103,000	\$5,438,000	\$37,541,000
D-11	Avondale	\$2,586,000	\$440,000	\$3,026,000
D-12	Plantation Estates	\$2,780,000	\$473,000	\$3,253,000
H-17	Lake Jackson	\$26,612,000	\$4,525,000	\$31,137,000
H-18	Bobbin Mill	\$13,919,000	\$2,367,000	\$16,286,000
H-19	Huntington Estates	\$9,930,000	\$1,689,000	\$11,619,000
H-22	Harbinwood Estates	\$15,426,000	\$2,623,000	\$18,049,000
H-23	Northwest Leon County	\$13,477,000	\$2,292,000	\$15,769,000
L-01	Lake Munson	\$32,361,000	\$5,502,000	\$37,863,000
N-01	Woodville	\$22,490,000	\$3,824,000	\$26,314,000
Total Target Unsewered Area Related Improvements				\$237,548,000

Notes:

- 1) Blue text = capacity related improvements.
- 2) Red text = target unsewered area related improvements.
- 3) Green text = operational strategy related improvements.
- 4) Purple text = large unsewered area related improvements.



Sort by Project Type



02/19/2016

TABLE 7-1: USA Master Plan Projects

Capacity Related Improvements

Project ID	Project Description	Construction Cost	Engineering/ Inspection Cost	Estimated Capital Cost
B-04	Killearn Trunk Outfall Upgrade During Eastgate Drainage Improvements	\$888,000	\$151,000	\$1,039,000
D-04	Pump Station 33 Upgrade	\$420,000	\$72,000	\$492,000
G-01	Pump Station 137 (Tied to CCFM)	\$1,056,000	\$180,000	\$1,236,000
H-01	Capital Circle West Force Main - Phase 1 (PS 73 to Hwy 90)	\$300,000	\$0	\$300,000
H-02	Capital Circle West Force Main - Phase 2 (TPS to PS 73)	\$3,238,000	\$551,000	\$3,789,000
H-11	Pump Station 157 Force Main Extension	\$141,000	\$24,000	\$165,000
H-13	Mission Road Gravity Sewer Upgrade	\$611,000	\$104,000	\$715,000
I-03	Pump Station 127 Pump Upgrade	\$64,000	\$11,000	\$75,000
I-04	Jake Galther Inverted Siphon Modifications	\$330,000	\$57,000	\$387,000
M-02	Varsity Drive Upgrade	\$208,000	\$36,000	\$244,000
M-03	Pump Station 123 Force Main Extension to Airport Drive	\$81,000	\$14,000	\$95,000

Total Capacity Related Improvements **\$8,537,000**
(2.6% of CIP total)

Notes:

- 1) Blue text = capacity related improvements.
- 2) Red text = target unsewered area related improvements.
- 3) Green text = operational strategy related improvements.
- 4) Purple text = large unsewered area related improvements.



02/19/2016

**TABLE 7-1: USA Master Plan Projects
(Continued)**

Operational Strategy Related Improvements

Project ID	Project Description	Construction Cost	Engineering/ Inspection Cost	Estimated Capital Cost
A-02	Pump Station 112 Gravity Outfall	\$318,000	\$55,000	\$373,000
A-03	Pump Station 129 Gravity Outfall	\$470,000	\$80,000	\$550,000
A-04a	Pump Station 128 Gravity Outfall	\$384,000	\$66,000	\$450,000
A-04b	Pump Station 128 Gravity Outfall	\$128,000	\$22,000	\$150,000
A-05	Pump Station 85 Gravity Outfall	\$460,000	\$79,000	\$539,000
A-15	Velda Dairy 15" Gravity Sewer Upgrade	\$252,000	\$43,000	\$295,000
A-16	Replace Drop Manhole SH28379	\$12,000	\$3,000	\$15,000
A-17	Pump Station 155 Force Main Discharge into Velda Dairy Gravity Sewer	\$8,000	\$2,000	\$10,000
B-03	Raymond Diehl Road 10" Force Main Extension	\$30,000	\$5,000	\$35,000
D-01	Pump Station 13 Gravity Outfall	\$287,000	\$49,000	\$336,000
D-13	PS 74 Parallel Force Main	\$425,000	\$73,000	\$498,000
F-01	Flow Control Valve on CCSE Force Main	\$300,000	\$51,000	\$351,000
G-02	Capital Circle 42" Force Main Valves and Bleed-Offs	\$496,000	\$85,000	\$581,000
H-03	Pump Station 160 Gravity Outfall	\$811,000	\$138,000	\$949,000
H-04	CCNW Pump Station and Force Main	\$1,689,000	\$288,000	\$1,977,000
H-05	Pump Station 37 Gravity Outfall & Pump Station 78 Upgrade	\$531,000	\$91,000	\$622,000
H-06	Pump Station 95 Gravity Outfall	\$345,000	\$30,000	\$375,000
H-10	Capital Circle West Force Main - Phase 3 (PS Talquin2 to Hwy 90)	\$2,514,000	\$428,000	\$2,942,000
H-12	Pump Station 66 Relocation	\$362,000	\$62,000	\$424,000
H-24a	PS 12 Parallel Force Main	\$3,470,000	\$590,000	\$4,060,000
H-24b	PS 12 Parallel Force Main	\$876,000	\$149,000	\$1,025,000
H-25a	PS 12 Replacement	\$171,000	\$29,000	\$200,000
H-25b	PS 12 Replacement	\$256,000	\$44,000	\$300,000
H-25c	PS 12 Replacement	\$775,000	\$125,000	\$900,000
H-25d	PS 12 Replacement	\$1,260,000	\$215,000	\$1,475,000
I-05	TPSWRF Force Main/ Valve Manifold	\$1,110,000	\$190,000	\$1,300,000
J-01	Pump Station 117 (Tied to CCSWFM)	\$10,000	\$2,000	\$12,000
M-01a	Gravity Sewer Line from Lake Bradford Road to Gamble St.	\$600,000	\$150,000	\$750,000
M-01b	Gravity Sewer Line from Lake Bradford Road to Gamble St.	\$600,000	\$0	\$600,000

**Total Operational Strategy Related Improvements \$22,094,000
(6.7% of CIP total)**

Notes:

- 1) Blue text = capacity related improvements.
- 2) Red text = target unsewered area related improvements.
- 3) Green text = operational strategy related improvements.
- 4) Purple text = large unsewered area related improvements.



**Hatch Mott
MacDonald**

Sort by Project Type



02/19/2016

**TABLE 7-2: 20-Year Master Plan Improvements ^
2015 - 2035 Phasing**

Phase I (2015 - 2020)

Year	Project ID	Project Description	Construction Cost	Engineering/ Inspection Cost	Estimated Capital Cost
2015	H-01	Capital Circle West Force Main - Phase 1 (PS 73 to Hwy 90)	\$300,000	\$0	\$300,000
2015	H-06	Pump Station 95 Gravity Outfall	\$345,000	\$30,000	\$375,000
2015	H-11	Pump Station 157 Force Main Extension	\$141,000	\$21,000	\$165,000
2015	D-01	Pump Station 12 Gravity Outfall	\$287,000	\$49,000	\$336,000
2015	M-01a	Gravity Sewer Line from Lake Bradford Road to Gamble St.	\$600,000	\$150,000	\$750,000
2016	M-01b	Gravity Sewer Line from Lake Bradford Road to Gamble St.	\$600,000	\$0	\$600,000
2016	I-05	TFSWRP Force Main/ Valve Manifold	\$1,110,000	\$190,000	\$1,300,000
2016	H-24a	PS 12 Parallel Force Main	\$3,470,000	\$590,000	\$4,060,000
2016	H-25a	PS 12 Replacement	\$171,000	\$29,000	\$200,000
2017	A-02	Pump Station 112 Gravity Outfall	\$318,000	\$52,000	\$373,000
2017	D-10a	Twin Lakes Subdivision	\$343,000	\$92,000	\$635,000
2017	H-16	W. B. Rodgers Gravity Main	\$789,000	\$67,000	\$456,000
2017	A-04a	Pump Station 128 Gravity Outfall	\$384,000	\$66,000	\$450,000
2017	A-16	Replace Drop Manhole SH23379	\$12,000	\$3,000	\$15,000
2017	B-03	Raymond Dishl Road 18" Force Main Extension	\$30,000	\$3,000	\$33,000
2017	H-24b	PS 12 Parallel Force Main	\$876,000	\$149,000	\$1,025,000
2017	H-25b	PS 12 Replacement	\$256,000	\$44,000	\$300,000
2017	I-04	John Gailther Inverted Siphon Modifications	\$130,000	\$17,000	\$147,000
2017	M-02	Varsity Drive Upgrade	\$308,000	\$36,000	\$344,000
2018	A-04b	Pump Station 128 Gravity Outfall	\$128,000	\$21,000	\$150,000
2018	D-10b	Twin Lakes Subdivision	\$1,368,000	\$232,000	\$1,600,000
2018	H-25c	PS 12 Replacement	\$775,000	\$125,000	\$900,000
2018	A-17	Pump Station 155 Force Main Discharge into Velda Dairy Gravity Sewer	\$8,000	\$2,000	\$10,000
2018	A-19	Velda Dairy 15" Gravity Sewer Upgrade	\$252,000	\$43,000	\$293,000
2018	M-03	Pump Station 123 Force Main Extension to Airport Drive	\$81,000	\$14,000	\$93,000
2018	D-13	PS 74 Parallel Force Main	\$425,000	\$73,000	\$497,000
2019	D-09a	Apalachee Pkwy / Williams Road	\$2,004,500	\$341,000	\$2,345,500
2019	H-25d	PS 12 Replacement	\$1,160,000	\$215,000	\$1,475,000
2020	D-09b	Apalachee Pkwy / Williams Road	\$2,104,000	\$359,000	\$2,467,000
Phase I (2015 - 2020)			\$21,841,500		

Notes:

- 1) Blue text = capacity related improvements.
- 2) Green text = operational strategy related improvements.
- 3) Purple text = large unsewered area related improvements.
- 4) Note that \$2,150,000 has been allocated for MP projects. Any costs above that allocation will be funded via other sources.
- 5) Note that \$2,260,000 has been allocated for MP projects. Any costs above that allocation will be funded via other sources.
- 6) Note that \$2,305,200 has been allocated for MP projects. Any costs above that allocation will be funded via other sources.
- 7) Note that \$2,420,500 has been allocated for MP projects. Any costs above that allocation will be funded via other sources.

Year	Estimated Capital Cost
2015	\$1,926,000
2016 ¹	\$4,160,000
2017 ²	\$3,928,000
2018 ³	\$3,548,000
2019 ⁴	\$3,830,500
2020	\$2,467,000
Total	\$21,841,500

Phasing plan is for general guidance only. Policy decisions, based upon available revenue and expenditures for system growth versus system operational strategy improvements, may result in significantly different capital budgets and phasing.



Sort by Project Phasing



02/19/2016

TABLE 7-2: 20-Year Master Plan Improvements *
2015 - 2035 Phasing
(Continued)

Phase II (2021 - 2025)

Year	Project ID	Project Description	Construction Cost	Engineering/ Inspection Cost	Estimated Capital Cost
2021-2025	B-04	Kilbuck Trunk Outfall Upgrade During Eastgate Drainage Improvements	\$588,000	\$151,000	\$1,039,000
2021-2025	C-01	Pump Station 157 (Tied to CCFM)	\$1,036,000	\$180,000	\$1,236,000
2021-2025	H-02	Capital Circle West Force Main - Phase 2 (TP6 to PS 75)	\$3,238,000	\$551,000	\$3,789,000
2021-2025	H-13	Milston Road Gravity Sewer Upgrade	\$611,000	\$104,000	\$715,000
2021-2025	H-04	CCRW Pump Station and Force Main	\$1,689,000	\$288,000	\$1,977,000
2021-2025	H-05	Pump Station 37 Gravity Outfall & Pump Station 78 Upgrade	\$531,000	\$91,000	\$622,000
2021-2025	J-01	Pump Station 117 (Tied to CCSWTM)	\$10,000	\$2,000	\$12,000
Phase II (2021 - 2025)			\$10,193,000	\$1,767,000	\$11,960,000

Notes:

- 1) Blue text = capacity related improvements.
- 2) Green text = operational strategy related improvements.

Phasing plan is for general guidance only. Policy decisions, based upon available revenue and expenditures for system growth versus system operational strategy improvements, may result in significantly different capital budgets and phasing.



02/19/2016

**TABLE 7-2: 20-Year Master Plan Improvements *
2015 - 2035 Phasing
(Continued)**

Phase IV (2031-2035)

Year	Project ID	Project Description	Construction Cost	Engineering/ Inspection Cost	Estimated Capital Cost
2031-2035	G-02	Capital Circle 42" Force Main Valves and Bleed-Offs	\$496,000	\$85,000	\$581,000
2031-2035	H-03	Pump Station 160 Gravity Outfall	\$811,000	\$138,000	\$949,000
2031-2035	H-10	Capital Circle West Force Main - Phase 3 (PS Talquin? to Hwy 99)	\$2,514,000	\$428,000	\$2,942,000
Phase IV (2031-2035)			\$3,821,000	\$651,000	\$4,472,000

Total Estimated Capital Cost (2015 - 2035) \$38,134,500

Notes:

- 1) Blue text = capacity related improvements
- 2) Green text = operational strategy related improvements.

Phasing plan is for general guidance only. Policy decisions, based upon available revenues and expenditures for system growth versus system operational strategy, improvements, may result in significantly different capital budgets and phasing.

02/19/2016

**TABLE 7-2: 20-Year Master Plan Improvements *
2015 - 2035 Phasing
(Continued)**

Phase III (2026-2030)

Year	Project ID	Project Description	Construction Cost	Engineering/ Inspection Cost	Estimated Capital Cost
2026-2030	D-04	Pump Station 33 Upgrade	\$420,000	\$72,000	\$492,000
2026-2030	I-03	Pump Station 127 Pump Upgrade	\$64,000	\$11,000	\$75,000
2026-2030	A-03	Pump Station 129 Gravity Outfall	\$470,000	\$80,000	\$550,000
2026-2030	A-05	Pump Station 85 Gravity Outfall	\$460,000	\$79,000	\$539,000
2026-2030	F-01	Flow Control Valve on CCSR Force Main	\$300,000	\$51,000	\$351,000
2026-2030	H-12	Pump Station 66 Relocation	\$362,000	\$62,000	\$424,000
Phase III (2026-2030)			\$2,468,000	\$405,000	\$2,873,000

Notes:

- 1) Blue text = capacity related improvements.
- 2) Green text = operational strategy related improvements.

Phasing plan is for general guidance only. Policy decisions, based upon available revenue and expenditures for system growth versus system operational strategy improvements, may result in significantly different capital budgets and phasing.

**Leon County
Board of County Commissioners**

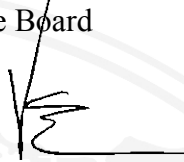
Notes for Agenda Item #8

Leon County Board of County Commissioners

Cover Sheet for Agenda #8

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of a Memorandum of Understanding to Expand CareerSource Capital Region Services through the LeRoy Collins Leon County Public Library System

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Benjamin H. Pingree, Director, PLACE
Lead Staff/ Project Team:	Cristina Paredes, Director, Economic Vitality Cay Hohmeister, Library Director Heather Peeples, Special Projects Coordinator

Fiscal Impact:

This item has no current anticipated fiscal impact to the County. Staff will monitor the computer usage and library staff time utilized in support of citizens at the libraries accessing CareerSource services to determine if future financial support from CareerSource is necessary.

Staff Recommendation:

Option #1: Approve the Memorandum of Understanding for Affiliate Status Partnership with CareerSource Capital Region (Attachment #1).

Report and Discussion

Background:

This item seeks approval of a Memorandum of Understanding with CareerSource Capital Region (CSCR) that would establish the LeRoy Collins Leon County Public Library System's seven locations as CareerSource affiliate locations effective May 10, 2016 until June 30, 2019.

Leon County Government already has an existing partnership with CSCR to carry out state and federal workforce initiatives and laws. This partnership is established under an interlocal agreement with CSCR and the Region 5 Local Workforce Area comprised of Gadsden County, Leon County and Wakulla County (Attachment #2). The interlocal agreement expires on June 30, 2020. CSCR operates career centers in Gadsden, Leon and Wakulla County and will relocate its Leon County Career Center from its office on South Monroe Street to an office in the Capital Commerce Center on Blairstone Road in May 2016. In order to expand service locations and continue providing select services near the previous location, CSCR has asked Leon County Government to enter into a Memorandum of Understanding for Affiliate Status Partnership. The MOU would allow for select services to be provided by CSCR through the LeRoy Collins Leon County Public Library System.

This memorandum is essential to the following revised FY2012-2016 Strategic Initiative that the Board approved at the January 26, 2016 meeting:

- Implement strategies to promote work readiness and employment (EC6).

This particular Strategic Initiative aligns with the Board's Strategic Priority: Economy

- (EC6) Ensure the provision of the most basic services to our citizens most in need so that we have a "ready workforce"

This memorandum is essential to the Board's Priority – Quality of Life:

- (Q4) Enhance and support amenities that provide social offerings for residents and visitors of all ages
- (Q8) Maintain and enhance our educational and recreational offerings associated with our library system, inspiring a love of reading and lives of learning

Analysis:

The Leroy Collins Leon County Public Library System currently offers several resources for job seekers and those seeking to improve their career options. Online resources include Learning Express, an e-learning website which allows cardholders to access educational tutorials on topics ranging from high school equivalency and college prep to how to prepare for occupational exams or improve basic skills like math, literacy, and grammar. Learning Express also includes a Job and Career Accelerator, an online platform that cardholders can access to look into career options, prepare resumes, review job interview techniques and search for job openings. Onsite resources for job seekers include adult classes on computer and portable device use, social media, and English language tutoring in speaking, reading and writing.

The proposed agreement between CSCR and Leon County would be effective May 10, 2016 until June 30, 2019. In May 2016, CSCR will also relocate their Leon County Career Center to the Capital Commerce Center on Blairstone Road. The new office location offers recently renovated facilities and allows CSCR to reduce operating costs by downsizing their office space. In order to ensure that all job seekers are able to access their services, CSCR has selected a location along the bus route and has approached Leon County about an MOU for Affiliate Status Partnership. The MOU designates the Main Library and six branch locations as CareerSource affiliates thereby helping to ensure that job seekers are able to access CSCR's online services throughout the County.

This MOU is intended to add to the list of available resources for job seekers through the County libraries. As part of the MOU, the County agrees to provide the following at the libraries:

- Space and available computers that will be accessible to the general public (*Note: The referenced computers are the existing computers already available to the public at the libraries.*)
- Staff to assist job seekers using the Employ Florida Marketplace system (or other system determined by the State of Florida) (*Note: The referenced staff are existing library staff that will be trained to provide basic information on accessing the systems.*)
- Access to maintained secure computers with high-speed internet connection and sufficient virus and privacy protection software
- Space to offer one employment-related workshop conducted by CSCR per quarter that will be accessible to the general public
- Information on the CSCR programs and services offered at the libraries
- Electronic sign-in for all customers accessing workforce services accessible via a desktop computer icon.

In return, CSCR agrees to provide the following at the libraries:

- Staff/Volunteer training on the use of the Employ Florida Marketplace
- An affiliate decal for display at the entrance
- Marketing collateral to include brochures, posters, fact sheets, workshop schedules and other materials designed to serve job seekers
- Information on training opportunities, internships, and paid/unpaid work experience programs
- One employment-related workshop per quarter
- The CareerSource Mobile Unit at the Branch Libraries at the rate of one branch visit per quarter.
- A primary and alternate point of contact to provide technical assistance
- An annual report summarizing all activities and data collected at the Branch Libraries by November 1st

Staff has been working with the MIS Office in preparation for the installation of the desktop computer icon on library computers should the Board approve the MOU with CSCR. The desktop icon would direct job seekers to a sign-in page where personal and demographic information is collected. A summary of demographic information would be included in the annual report described above. Once the sign-in page is completed, job seekers will be directed to the Employ Florida Marketplace website which allows job seekers to conduct job searches, access information about veteran, youth, and senior services, as well as receive assistance in composing a resume or finding educational/training programs. Job seekers will need to be library cardholders or request a guest pass for free internet access on the Library's public computers.

As stated in the MOU, the County may terminate the agreement without cause by giving CSCR not less than thirty (30) days written notice. Requirements for prior written notice do not apply if CSCR is unable to perform its obligations or if the services being provided are not satisfactory.

Should the Board approve the MOU, it will be managed by the joint Office of Economic Vitality in coordination with library staff.

Options:

1. Approve the Memorandum of Understanding for Affiliate Status Partnership with CareerSource Capital Region (Attachment #1).
2. Do not approve the Memorandum of Understanding for Affiliate Status Partnership with CareerSource Capital Region
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Memorandum of Understanding for Affiliate Status Partnership with CareerSource Capital Region
2. Big Bend Jobs & Education County, Inc. d/b/a CareerSource Capital Region, Gadsden County Board of County Commissioners, Leon County Board of County Commissioners, Wakulla County Board of County Commissioners Interlocal Agreement

Memorandum of Understanding for Affiliate Status Partnership

THIS Memorandum of Understanding for Affiliate Status Partnership dated this 10th day of May, 2016, is by and between and Leon County, Florida, a political subdivision of the State of Florida (hereinafter the "County") and Big Bend Jobs and Education Council, Inc. d/b/a CareerSource Capital Region (hereinafter the "CSCR"), collectively, the "Parties".

RECITALS

WHEREAS, CSCR is expanding services outside of the Career Centers in order to reach more Leon County residents seeking to obtain or maintain career-advancing opportunities; and

WHEREAS, this Memorandum of Understanding for Affiliate Status Partnership (Agreement) serves to define the relationship between CSCR and the County and the associated roles and responsibilities of the Parties; and

WHEREAS, this Agreement is designed to coordinate resources to ensure the efficient and effective delivery of workforce services in Gadsden, Leon and/or Wakulla Counties. This Agreement will establish joint processes and procedures that will enhance the visibility and accessibility of services to the residents of Gadsden, Leon and/or Wakulla Counties; and

WHEREAS, the mission of CSCR is to connect employers with qualified, skilled talent and Floridians with employment and career development opportunities to achieve economic prosperity in Gadsden, Leon and Wakulla Counties, to be accomplished by collaborating, innovating and leading in a globally competitive world; and

WHEREAS, the Parties by this Agreement desire to give greater access to job seekers specifically in Leon County by providing:

- **Universal Access** – All customers, including those with special needs and barriers to employment, will have access to a core set of services designed to provide information to make career and labor market decisions. Basic and Individualized Career Services as well as training and support services will be made available to eligible and suitable customers by referral to the appropriate CSCR Career Center; and

- **Individual Choice** – Through referral to the appropriate Career Center, customers will have access to a multitude of career, skill, employment, and training information to obtain the services and skills they need to enhance their employment opportunities based on their individual needs.

NOW, THEREFORE, for and in consideration of the forging recitals, the sum of ten dollars (\$10.00) each to the other paid, the mutual covenants and promises contained herein and other good and valuable consideration, the receipt and sufficiency of which being acknowledged, the Parties do hereby covenant and agree as follows:

1. EFFECTIVE DATE; TERM; RENEWAL

- a. This Agreement shall be effective commencing May 16, 2016 and shall continue until June 30, 2019, hereinafter "Initial Term".
- b. After the Initial Term, this Agreement may be extended for additional three (3) year Terms upon the same terms and conditions as herein set forth, provided same is agreed to by the Parties in writing.

2. COUNTY REQUIREMENTS

The County agrees to provide at the LeRoy Collins Leon County Public Library System:

- a. Space and available computers that will be accessible to the general public.
- b. Staff to assist job seekers using the Employ Florida Marketplace (EFM) system (or other system determined by the state of Florida).
- c. Access to maintained and secure computers with high-speed internet connection and sufficient virus and privacy protection software.
- d. Space to offer one (1) employment-related workshop conducted by CSCR per quarter that will be accessible to the general public.
- e. Information on the CSCR programs and services offered at the LeRoy Collins Leon County Public Library System.
- f. Electronic sign-in for all customers accessing workforce services accessible via a desktop computer icon

3. CSCR REQUIREMENTS

CSCR agrees to provide:

- a. Staff/Volunteer training on the usage of EFM and other services available through CSCR.
- b. An affiliate decal for display at the entrance.
- c. Marketing collateral to include brochures, posters, fact sheets, workshop schedules and other materials designed to serve job seekers.
- d. Information on training opportunities, internships, and paid/unpaid work experience programs.
- e. One (1) employment-related workshop per quarter.
- f. The CareerSource Mobile Unit at the Branch Libraries at the rate of one branch visit per quarter.

- g. A primary and alternate point of contact to provide technical assistance.
- h. An annual report summarizing all activities and data collected at the Branch Libraries by November 1st.

4. HOURS OF OPERATION

The hours of operation at the LeRoy Collins Leon County Public Library System will be posted as determined by the County. CSCR will post these hours on the County website.

MAIN	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	1:00 PM
Close	9:00 PM	9:00 PM	9:00 PM	9:00 PM	6:00 PM	5:00 PM	6:00 PM
BRANCHES	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	CLOSED	11:00 AM	10:00 AM	11:00 AM	10:00 AM	10:00 AM	CLOSED
Close		8:00 PM	6:00 PM	8:00 PM	6:00 PM	4:00 PM	

5. TERMINATION

The County may terminate this Agreement without cause, by giving CSCR not less than thirty (30) days prior written notice of its intent to terminate. Either Party may terminate this Agreement for cause by giving the other Party hereto not less than thirty (30) days prior written notice of its intent to terminate. The County shall not be required to give CSCR such thirty (30) days written notice if, in the opinion of the County, CSCR is unable to perform its obligations hereunder, or if in the opinion of the County, the services being provided are not satisfactory. In such case, the County may immediately terminate the Agreement by providing a notice of termination to CSCR.

Termination of this Agreement for any reason under this Section will not affect (i) any liabilities or obligations of either Party arising before such termination or as a result of the events causing such termination, or (ii) any damages or other remedies to which a Party may be entitled to under this Agreement, at law or in equity, arising out of a breach of this Agreement.

6. INDEMNIFICATION

Each Party (the "Indemnifying Party") agrees to indemnify, reimburse, defend and hold harmless the other Party (the "Indemnified Party") from and against all claims, demands, losses, liabilities, penalties, and expenses (including reasonable attorney's fees) for personal injury or death to natural persons and physical damage to tangible property of any person to the extent arising out of, resulting from, or caused by the negligent or tortious acts, errors or omissions of the Indemnifying Party, its affiliates, its directors, officers, employees, or agents. Nothing in this Section shall enlarge or relieve either party of any liability to the other for any breach, default or non-performance of this Agreement or for any event or occurrence for which any other remedy is specified hereunder. The Indemnifying Party's liability to pay damages to the Indemnified Party shall be reduced in proportion to the percentage by which the Indemnified Party's neglect or intentional acts, errors or omissions caused the damages. Neither Party shall be indemnified for its damages resulting from its sole negligence, intentional acts or willful misconduct. These indemnity provisions shall not be construed or deemed to relieve any insurer of its obligation to pay claims consistent with the provisions of a valid insurance policy. Nothing herein shall be

construed as a waiver of sovereign immunity limitations of damages enjoyed by the County for third party claims, demands and actions relating to personal injury, death or property damages, as provided in section 768.28, Florida Statutes, as amended from time to time, or any other law providing limitations of liability or damages.

7. PUBLIC RECORDS

CSCR agrees to:

- a. Comply with public records access requirements set forth in section 119.0701(2), Florida Statutes, including the obligation to:
 1. Keep and maintain public records that ordinarily and necessarily would be required by the County in order to perform the services encompassed hereby.
 2. Provide the public with access to public records on the same terms and conditions that the County would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
 3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
 4. Meet all requirements for retaining public records and transfer, at no cost, to the County all public records in possession of CSCR upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the County in a format that is compatible with the information technology systems of the County.

8. MISCELLANEOUS PROVISIONS

a. Status

CSCR at all times relevant to this Agreement shall be an independent contractor and in no event shall CSCR nor any employees or subcontractors under it be considered to be employees of the County.

b. Conflicting Employment

For the duration of this Agreement, CSCR shall not enter into any other agreements that would ethically conflict with its obligations under this Agreement.

c. Assignments

This Agreement shall not be assigned as a whole or in part without the prior written consent of the County nor shall CSCR assign any monies due or to become due to him hereunder without the prior written consent of the County.

d. Public Entity Crimes Statement

In accordance with section 287.133, Florida Statutes, CSCR hereby certifies that to the best of his knowledge and belief neither CSCR nor its affiliates have been convicted of a public entity crime. CSCR and his affiliates shall provide the County with a completed public entity crime statement form no later than January 15 of each year this Agreement is in effect. Violation of this section by CSCR shall be cause for termination of this Agreement by the County.

e. Unauthorized Alien(s) And E-Verify

CSCR agrees that unauthorized aliens shall not be employed nor utilized in the performance of the requirements of this Agreement. The County shall consider the employment or utilization of unauthorized aliens a violation of Section 274A(e) of the Immigration and Naturalization Act (8 U.S.C. 1324a). Such violation shall be cause for termination of this Agreement by the County.

1. CSCR agrees that it will enroll and participate in the federal E-Verify Program for Employment Verification. CSCR further agrees to provide to the County, within thirty days of the effective date of this contract/amendment/extension, documentation of such enrollment in the form of a copy of the E-Verify “‘Edit Company Profile’ screen”, which contains proof of enrollment in the E-Verify Program (this page can be accessed from the “Edit Company Profile” link on the left navigation menu of the E-Verify employer’s homepage).
2. CSCR further agrees that it will require each subcontractor that performs work under this contract to enroll and participate in the E-Verify Program within sixty days of the effective date of this contract/amendment/extension or within sixty days of the effective date of the contract between CSCR and the subcontractor, whichever is later. CSCR shall obtain from the subcontractor(s) a copy of the “Edit Company Profile” screen indicating enrollment in the E-Verify Program and make such record(s) available to the County upon request.
3. CSCR will utilize the U.S. Department of Homeland Security’s E-Verify system to verify the employment eligibility of: (a) all

persons employed during the term of the Agreement by CSCR to perform employment duties within Florida; and (b) all persons (including subcontractors) assigned by CSCR to perform work pursuant to the Agreement.

- a. CSCR must use E-Verify to initiate verification of employment eligibility for all persons employed during the term of the Agreement by CSCR to perform employment duties within Florida within 3 business days after the date of hire.
 - b. CSCR must initiate verification of each person (including subcontractors) assigned by CSCR to perform work pursuant to the Agreement within 60 calendar days after the date of execution of this contract or within 30 days after assignment to perform work pursuant to the Agreement, whichever is later.
4. CSCR further agrees to maintain records of its participation and compliance with the provisions of the E-Verify program, including participation by its subcontractors as provided above, and to make such records available to the County or any other authorized state agency consistent herewith.
 5. Compliance with the terms of this Employment Eligibility Verification provision is made an express condition of this Agreement and the County may treat a failure to comply as a material breach of this Agreement.

f. Non-Waiver

Failure by the County to enforce or insist upon compliance with any of the terms or conditions of this Agreement or failure to give notice or declare this Agreement terminated shall not constitute a general waiver or relinquishment of the same, or of any other terms, conditions or acts but the same shall be and remain at all times, in full force and effect.

g. Modifications

This Agreement constitutes the entire understanding of the Parties. Any modifications to this Agreement must be in writing.

h. Venue

Venue for all actions arising out of this Agreement shall lie in Leon County, Florida.

i. Construction

The validity, construction, and effect of this Agreement shall be governed by the laws of the State of Florida.

j. Compliance With Anti-Discrimination Legislation

In providing, or contracting to provide services, programs or activities, maintaining facilities, and otherwise performing obligations under this Agreement, CSCCR shall comply with the Americans with Disabilities Act, the Civil Rights Act of 1964, as amended, the Florida Civil Rights Act of 1992, and any other federal or state law or County ordinance that prohibits discrimination on the basis of race, color, national origin, religion, sex, age, marital status, disability, sexual orientation or gender identity.

k. Headings In This Agreement

The headings in this Agreement are for convenience only, confirm no rights or obligations in either Party, and do not alter any terms of this Agreement.

l. Severability

If any term of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, then this Agreement, including all of the remaining terms, shall remain in full force and effect as if such invalid or unenforceable term had never been included.

m. Force Majeure

If either Party is prevented from or delayed from performing any obligations under this Agreement (except payment or financial obligations) by circumstances beyond its control, including but not limited to fires, hurricanes, severe weather, floods, pandemics, quarantines, war, civil disturbances, acts of terrorism, acts of God, or significant threats of such circumstances, or any future laws, rules, regulations, orders, or acts of any local, state, or federal government ("Force Majeure"), then the affected party shall be excused from performance hereunder during the period of disability. The party claiming Force Majeure shall promptly notify the other party in writing when upon learning of the existence of a Force Majeure condition, and when the Force Majeure condition has terminated. Notwithstanding anything in this Agreement to the contrary, the term "Force Majeure" does not include or excuse performance under this Agreement for events relating to increased costs associated with fuel, labor, labor disputes, insurance, or other expenses of performing the obligations hereunder.

n. Survival of Obligations

Cancellation, expiration, or earlier termination of this Agreement shall not relieve the Parties of obligations that by their nature should survive such cancellation, expiration, or termination.

o. Counterparts

This Agreement may be executed in any number of counterparts, and each executed counterpart shall have the same force and effect as an original instrument.

p. Sovereign Immunity

Nothing herein shall be construed as a waiver of any rights and privileges afforded the County, as a political subdivision of the State of Florida, under section 768.28, Florida Statutes, as amended.

q. Dispute Resolution

1. All disputes arising under or relating to this Agreement shall be resolved in accordance with this Section.
2. The Parties shall attempt to resolve all disputes that arise under this Agreement in good faith and in accordance with the following procedure:
 - a. The aggrieved Party shall give written notice to the other Party setting forth the nature of the dispute, date of occurrence (if known), and proposed equitable resolution.
 - b. Representatives of both Parties shall meet at the earliest opportunity to discuss and resolve the dispute. If the dispute is resolved to the mutual satisfaction of both, they shall report their decision to the Parties in writing.
 - c. If those representatives are unable to reconcile the dispute, they shall report their impasse to the appropriate County Director and CSCR's designee, who, at their earliest opportunity, shall meet and attempt to reconcile the dispute.
 - d. Should the Director and CSCR's designee fail to resolve the dispute, they shall report their impasse to the County Administrator, or authorized representative, and CSCR's designee, who, at their earliest opportunity, shall review and attempt to resolve the dispute.
 - e. If the County Administrator and CSCR's designee are not able to amicably resolve the dispute within fifteen (15)

business days after the impasse is reported to them, then either Party can pursue whatever forms of relief that may be available to it under this Agreement, at law, or in equity.

r. Attorneys' Fees and Costs.

In the event of a dispute arising under this Agreement, whether or not a lawsuit or other proceeding is filed, the prevailing Party shall be entitled to recover its reasonable attorneys' fees and costs, including attorneys' fees and costs incurred in litigating entitlement to attorneys' fees and costs, as well as in determining or quantifying the amount of recoverable attorneys' fees and costs. The reasonable costs to which the prevailing Party is entitled shall include costs that are taxable under any applicable statute, rule or guideline, as well as non-taxable costs, including, but not limited to, costs of investigation, copying costs, electronic discovery costs, telephone charges, mailing and delivery charges, information technology support charges, consultant and expert witness fees, travel expenses, court reporter fees, and mediator fees, regardless of whether such costs are otherwise taxable.

WHERETO, the Parties have set their hands and seals and executed this Agreement the date set forth below.

LEON COUNTY, FLORIDA

CSCR

BY: _____
Bill Proctor, Chairman
County Administrator

BY: _____
Jim McShane, MPA
Chief Executive Officer

Date: _____

Date: _____

ATTEST:

Bob Inzer, Clerk of the Court & Comptroller,
Leon County, Florida

BY: _____

Approved as to Form:
Leon County Attorney's Office

BY: _____
Herbert W. A. Thiele, Esq.
County Attorney

**LEON COUNTY
CONTRACT ROUTING FORM**

Original
 Renewal
 Amendment(#)
LOGGED OUT HAS

County Contract No. 4202
RECEIVED
15 MAY 18 AM 9:38

Division Contact: Josh Pascua Phone # 606-5317

Department/Division: Economic Vitality

Contractor: CareerSource Capital Region

Address 325 John Knox Road, Atrium Building, Suite 102

City, State, Zip Tallahassee, FL 32303 Phone 414-6085

Contract Period: From July 1, 2015 To June 30, 2016

RECEIVED
15 MAY 15 PM 1:43
FINANCE DIVISION
BOUINZER
CLERK & COMPTROLLER

Renewal Periods: Number 4 Term One Year

Contract Total \$ Amount: \$0.00 or check if Unit Price Agreement

<u>Contract Type:</u>	<u>Procurement Method:</u>	<u>Forms Required:</u>
<input type="checkbox"/> Conservation Easement	<input type="checkbox"/> Bid*	<input type="checkbox"/> Public Entity Crimes Statement
<input type="checkbox"/> Construction	<input type="checkbox"/> RFP*	<input type="checkbox"/> Performance Bond
<input type="checkbox"/> Continuing Supply	<input type="checkbox"/> Sole Source	<input type="checkbox"/> Materials & Payment Bond
<input type="checkbox"/> Deed	<input type="checkbox"/> Gov't Entity	<input type="checkbox"/> Warranty Bond
<input type="checkbox"/> Interlocal Agreement	<input type="checkbox"/> Other (Explain Below)	<input type="checkbox"/> Certification Regarding Debarment
<input type="checkbox"/> Grant		
<input type="checkbox"/> Lease	<u>Insurance Certificates:</u>	*Bid/RFP # _____
<input type="checkbox"/> Other Services	<input type="checkbox"/> General Liability	
<input type="checkbox"/> Performance Agreement	<input type="checkbox"/> Professional Liability	<u>Awarded by:</u>
<input checked="" type="checkbox"/> Professional Services	<input type="checkbox"/> Workers' Compensation	<input type="checkbox"/> Purchasing Director
<input type="checkbox"/> Purchase	<input type="checkbox"/> Errors & Omissions	<input type="checkbox"/> County Administrator
<input type="checkbox"/> Other (Explain below)	<input type="checkbox"/> Automobile Coverage	<input type="checkbox"/> Board of County Commissioners
		Agenda Date _____ Item # _____

Comments: _____

Routing:

Required	Initials	Date	
_____	_____	_____	Originating Division _____
_____	_____	_____	Group Director
_____	_____	_____	Purchasing
<input checked="" type="checkbox"/>	<u>[Signature]</u>	<u>5/14/15</u>	County Attorney's Office
_____	_____	_____	Deputy or Assistant County Administrator
_____	_____	_____	County Administrator
<input checked="" type="checkbox"/>	<u>[Signature]</u>	<u>5/15/15</u>	Chairman, BCC
_____	_____	_____	Clerk's Office (Finance)

05/13/15 12:53:34
Received by
Leon County Attorney's Office

Return completed documents to: Josh Pascua, Economic Vitality
Be sure to return and file a fully executed agreement with the Finance Division

**BIG BEND JOBS & EDUCATION COUNCIL, INC. d/b/a CareerSource Capital Region
GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS
LEON COUNTY BOARD OF COUNTY COMMISSIONERS
WAKULLA COUNTY BOARD OF COUNTY COMMISSIONERS
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This Agreement, entered into by and between the following parties: Gadsden County, Leon County (a charter county), and Wakulla County (a charter county), political subdivisions of the State of Florida, hereinafter referred to as the "COUNTIES", and the Big Bend Jobs & Education Council, Inc. d/b/a CareerSource Capital Region (CSCR), a Florida nonprofit corporation, in its capacity as the Region 5 Local Workforce Area (LWA) created and existing under Chapter 445, Florida Statutes, hereinafter referred to as CareerSource Capital Region.

WITNESSETH:

WHEREAS, the Workforce Investment Act of 1998, Public Law 105-220 ("WIA") authorizes expenditures of federal funds for workforce development programs in areas of the state designated by the Governor as a Workforce Development Region; and

WHEREAS, Chapter 445, Florida Statutes, "the Workforce Innovation Act of 2000" ("Workforce Innovation Act") further delineates the roles and responsibilities of all parties in the expenditure of federal funds for workforce development programs in such designated areas; and

WHEREAS, the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 supersedes the Workforce Investment Act of 1998 and grandfathers-in the current workforce regions designated by the Governor of the State of Florida based on meeting performance requirements; and

WHEREAS, the COUNTIES have been designated by the Governor of the State of Florida as a Local Workforce Area; and

WHEREAS, the WIA and WIOA require the chief local elected officials of each designated Local Workforce Region to establish a regional workforce development board; and

WHEREAS, the Regional Workforce Board Accountability Act of 2012, the Florida Legislature provides for the membership of local workforce development boards to be limited to the minimum membership required in Pub. L. No. 105-220, Title I, s. 117(b) (2) (A); and

WHEREAS, CareerSource Capital Region has requested and received certification as the Region 5 Workforce Development Board by CareerSource Florida, the State of Florida Workforce Development Board; and

WHEREAS, the Department of Economic Opportunity (DEO), under the direction of CareerSource Florida, shall review and certify that CareerSource Capital Region complies with state and federal law; and

WHEREAS, the COUNTIES and CareerSource Capital Region previously entered into an Interlocal Agreement in 2001 defining their respective duties and responsibilities ("Original Interlocal"); and

WHEREAS, CareerSource Capital Region is required to submit its strategic plan and annual budget, as approved by the COUNTIES and/or their designee, to CareerSource Florida for review and approval; and then to the Department of Economic Opportunity for review and approval; and,

WHEREAS, the COUNTIES and CareerSource Capital Region desire to clarify the terms of the Original Interlocal Agreement to define the scope of their relationship and their respective duties and responsibilities for the administration and operation of workforce programs within the Region 5 Workforce Region under the

Programs funded through CareerSource Capital Region are equal opportunity programs with auxiliary aids and services available upon request to individuals with disabilities. Persons using TTY/TTD equipment use Florida Relay Service 711.

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WIOA law, as provided herein.

NOW THEREFORE, IN CONSIDERATION OF THE ABOVE AND THE MUTUAL COVENANTS HEREIN, THE PARTIES HERETO AGREE AS FOLLOWS:

Purpose:

The purpose of this agreement is to establish and maintain a partnership to carry out the requirements of the (WIOA), the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (Public Law 104-193), the Agricultural Act of 2015, applicable federal, state and local regulations including OMB super circular and future state and federal workforce initiatives and laws (together the "Acts").

2. Development of the Four Year Local Services Plan: (Section 108(a))

Pursuant to WIOA and in accordance with the requirements established by the Governor of the State of Florida, CareerSource Capital Region shall develop the Four Year Local Plan, as required, and shall present said plans to the COUNTIES for review and approval. Upon approval and execution of the plans by the COUNTIES when required by the Acts, acting through the respective Boards of County Commission, or their designees, the plans will be submitted to the proper funding authorities by CareerSource Capital Region.

3. Establishment of the Gadsden, Leon, Wakulla Workforce Development Consortium

The Gadsden, Leon, and Wakulla Workforce Development Consortium (the "CONSORTIUM") is hereby created to be organized as hereinafter provided. Each respective Board of County Commissioners shall identify and designate one individual to serve as their designee on the CONSORTIUM. The designee shall be a voting member. The CONSORTIUM will exercise approval authority, which will not be unreasonably withheld, over the budget adopted by CareerSource Capital Region for final submittal and approval to CareerSource Florida and then the Department of Economic Opportunity. The CONSORTIUM will also exercise approval authority and review of the annual audit as conducted over CareerSource Capital Region for final submittal to the proper funding authorities by CareerSource Capital Region.

4. Duties and Responsibilities of CareerSource Capital Region

The COUNTIES hereby designate CareerSource Capital Region as the local sub-grant recipient and local fiscal agent for all Workforce Innovation and Opportunity Act funds and other workforce development programs operating within the Region 5 Workforce Region (the "Program"). In that capacity, CareerSource Capital Region shall act as its own administrative entity, and be responsible for all Program activities as required by the Acts, including and/or subject to the following:

A. CareerSource Capital Region shall employ personnel to carry out the effective and efficient operation of the Program, as defined in the Workforce Local Plan, and to provide necessary technical assistance to any sub-grantee's providing services under the guidance of the Board and acting in partnership with the COUNTIES as provided herein;

B. CareerSource Capital Region Board shall select a Chief Executive Officer of sufficient competence and experience to organize and train such staff as necessary to conduct the functions and operations of the fiscal and administrative entity as provided herein;

C. CareerSource Capital Region, through the actions of said personnel, as authorized, approved or directed by the CareerSource Capital Region Board of Directors, shall:

1. Prepare planning documents required by applicable state and federal law and, after any required

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approval by the COUNTIES, submit them to the appropriate funding authorities for approval;

2. Prepare and submit for approval by the CONSORTIUM, an annual budget for the proper expenditure of all funds allocated to CareerSource Capital Region;
3. Direct the receipt and expenditure of funds in accordance with the Acts, this Agreement, approved local plans and budget, and/or all applicable Federal, State or Local Laws;
4. Execute contracts, sub-grants and other agreements necessary to carry out the programs authorized by CareerSource Florida and DEO, including making the designation of the One Stop Operator, selecting and designating youth service providers, identifying eligible providers of adult and dislocated worker intensive and training services, and maintaining a list of those providers with performance and cost information;
5. Reach agreement with the Governor and CareerSource Florida on local performance measures;
6. Recommend policy and develop program procedures for program management, planning, operation, evaluation and other necessary functions;
7. Evaluate program performance and determine whether there is a need to reallocate program resources and to modify the grant agreement with the State of Florida Department of Economic Opportunity;
8. Establish and maintain such committees as determined by the CareerSource Capital Region Board of Directors;
9. Establish and maintain in force agreements with each of the required local One Stop Partner agencies;
10. As the fiscal agent, collect, account for, invest and expend Program income generated by Program activities pursuant to the Acts and State of Florida requirements and approved CareerSource Capital Region bylaws, procurement policies, finance and accounting policies;
11. Conduct oversight with respect to activities, programs and expenditures under WIOA and such other federal programs that assign responsibility for oversight over programs, activities and expenditures. Oversight shall include monitoring related to administrative costs, avoiding duplicated services, providing career counseling, working with economic development, providing equal access, and ensuring compliance and accountability to meet performance outcomes.
12. Enforce all agreements and take action against any sub-recipient or vendor for abuse in the programs in order to protect the funds and the integrity of the program, subject to final approval or ratification by the CareerSource Capital Region Board of Directors;
13. Coordinate workforce investment activities with economic development strategies regionally and developing strong employer linkages;

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14. Promote private sector involvement in the statewide workforce investment system through effective brokering, connecting and coaching activities through intermediaries in the local area or through other organizations to assist employers in meeting hiring needs;
 15. Develop and administer a system to hear and resolve all grievances or complaints filed by participants, subcontractors or other interested parties as required by the Acts, Regulations or State Laws, subject to approval by the respective Boards of County Commissions when approving the Workforce Services Plan.
 16. Develop fiscal controls, accounting, audit and debt collection procedures to assure the proper disbursement of, and accounting for, funds received under WIOA, with at least fifty percent (50%) of the Title I funds for Adults and Dislocated Workers that are passed through to CareerSource Capital Region and allocated to and expended on Individual Training Accounts unless a waiver is granted for a lower percentage by CareerSource Florida.
 17. Make available to the COUNTIES and the general public through its website, www.careersourcecapitalregion.com, the audit conducted in accordance with OMB Super Circular 900 200 annually.
 18. Perform any other functions as necessary or appropriate to meet its responsibility for the operation of the Program;
 19. Maintain the required insurance coverage to protect the COUNTIES addressed through this agreement.
- D. CareerSource Capital Region shall have authority to seek, compete for and secure other sources of funding consistent with and in accordance with its purpose and for such other purposes as CareerSource Capital Region Board may deem appropriate and necessary.
- E. CareerSource Capital Region shall perform or cause to have performed internal audits and monitoring of all funds as required by the Acts and in accordance with the provisions of paragraph 6(c) herein; shall satisfactorily resolve any questions or problems arising from said audits and monitoring; and present audit and monitoring findings directly to the Audit Committee and CONSORTIUM.
- F. CareerSource Capital Region shall adopt such procedures to ensure compliance with applicable conflict of interest and public meetings laws. Members of the CareerSource Capital Region Board of Directors shall ensure there is no conflict of interest in the voting actions of the CareerSource Capital Region Board or its members with respect to all activities by complying with all disclosure, conflict of interest statutes, and other regulations and guidelines, as well as complying with all public meeting requirements, notifications and restrictions as prescribed by law.
- G. In order to exercise its independent Program oversight, CareerSource Capital Region shall not serve as the one stop operator and/or a direct service provider of certain components or all components of workforce services unless deemed necessary by the CareerSource Capital Region Board of Directors.
- H. CareerSource Capital Region shall promote and solicit participation by the business community in the program in order to maximize services to eligible residents of the area.
- I. CareerSource Capital Region shall collect or have collected appropriate labor market information to determine business and industry needs for specific job categories in the COUNTIES.

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- J. CareerSource Capital Region shall approve, in conjunction with the respective Board of County Commissioners, all plans as may be required under the Wagner Peyser (employment services) Act.
- K. CareerSource Capital Region shall exert every reasonable and necessary effort to resolve disagreements between CareerSource Capital Region and the COUNTIES.
- L. CareerSource Capital Region shall comply with all the filing and other requirements mandated by the Florida not-for-profit corporation statutes, and applicable IRS regulations and filings.
- M. CareerSource Capital Region shall complete and submit all assurances and certifications as required by the funding sources.
5. Duties and Responsibilities of the COUNTIES:

Each Board of County Commissioners is designated as the Chief Elected Officials under the WIOA, and in the capacity as the local grant recipient shall have the following duties and responsibilities:

- A. Appoint and reappoint representatives of the private sector members to the CareerSource Capital Region Board of Directors in a timely manner so as to maintain the minimum number of business members required by CareerSource Capital Region's bylaws, CS/HB 7023 enacted by the 2012 Florida Legislature and as provided in the WIOA.
- B. Each Board of County Commissioners shall have the authority to remove an appointed Board Member for cause. Cause may include, but is not limited to, conviction of a crime involving moral turpitude or dishonesty; and/or intentional and flagrant violation of County or CareerSource Capital Region standard of conduct to include ethical violation; and/or any conduct the COUNTIES determine to be detrimental to CareerSource Capital Region and/or the County or to the purposes and objectives of the workforce development system. Also removal for violation of the CSCR Board bylaws and policies. Removal of the Chair and/or Officer of the CareerSource Capital Region Board of Directors requires approval by all COUNTIES.

The number of members of the Local Workforce Area (LWA) Board shall be determined by the CareerSource Capital Region in consultation with the Chief Local Elected Official(s), but must remain compliant with the WIOA and the State of Florida legislation.

Members shall be appointed for fixed terms and may serve until their successors are appointed. Terms of the CareerSource Capital Region Board members shall be three (3) years with a maximum of nine (9) years consecutive service.

A majority of the CareerSource Capital Region Board shall be representative of the private sector, who shall be owners of businesses, chief executives, or chief operating officers of non-governmental employers, or other private sector executives who have substantial management or policy responsibility. The Chairperson of the CareerSource Capital Region shall be a representative of the private sector and shall be selected by the membership of the CareerSource Capital Region Board annually with a two year term limit.

The private sector representatives on the CareerSource Capital Region Board shall number twelve (12) and shall be selected in the following manner:

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Nominations for the private sector seats shall be submitted to the respective County Commissions or their designee by local business organizations including local chambers of commerce, downtown merchants associations, area business associations, etc., but must be compliant with the WIOA and State of Florida.

Such nominations for the CareerSource Capital Region Board shall be representative of the business community described above in optimal business leadership positions such as CEO's, President's, Owners, and senior business leaders.

In addition, the number of private sector seats appointed by the respective county commissions shall be apportioned as follows:

Leon County Commission, seven (7);
Gadsden County Commission, three (3); and
Wakulla County Commission, two (2).

Depending on the Board make up, these numbers may need to change. The percentage of business positions is based on population percentages of the participating counties in Region 5.

The remaining board memberships shall be filled as specified in the State of Florida and the Workforce Innovation and Opportunity Act. These Members **are not nominated** by the three (3) respective County Commissions or their designee but prescribed by WIOA;

The Mandatory Partners:

Higher Education (1);
A minimum of 20% with labor designation
Adult Literacy (1)
Government and Economic Development (1)
Economic and Community Development (1)
State Wagner Peyser (1)
Vocational Rehabilitation (1)

The May's in the Law are:

Community Organization (1)
Youth Organization (1)
Local Educational Agencies (1)
Transportation, Housing, Public Assistance (1)
Philanthropic Organizations (1)
Other Individuals- Local Elected Officials Discretion.

NOTE: Because business must be at least 51% of the Board, additional positions in the "may" section require adding multiple business people to the board. The intent of the WIOA law is to keep the board number low (minimum of 19) and have strategic and effective community business leaders.

- B. Maintain communication with CareerSource Capital Region necessary to carry out the objectives of this agreement.
- C. Appoint and reappoint members to the CONSORTIUM as defined in Section 3.
- D. Provide such Program oversight to ensure the effective and efficient delivery of all services as provided for in accordance with this Agreement, CareerSource Capital Region's approved plans, and as defined in the WIOA.

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E. Review, make recommendations, and approve, in its reasonable discretion, all plans as may be required under the WIOA.

F. Take prompt corrective action as it determines appropriate in its reasonable discretion when necessary to comply with the Acts, or to assure that performance standards are met.

G. Ensure, through CareerSource Capital Region Board meetings and CareerSource Capital Region staff presentations, as well as approval of CareerSource Capital Region policies, reports and other agreements, that CareerSource Capital Region has and maintains adequate administration, controls and management for funds and programs handled by CareerSource Capital Region including, but not limited to, such activities as receipts and disbursement of funds, monitoring, evaluation and contracting.

H. Exert every necessary and reasonable effort to resolve disagreements between CareerSource Capital Region and the COUNTIES.

6. Financial Responsibility for the Program:

As provided in the WIOA, the Board of County Commissioners of the respective counties, as the Chief Elected Officials (CEOs), are not relieved of the liability for the misuse of grant funds by the designation of CareerSource Capital Region as sub-grantee and fiscal agent as provided herein, as authorized by WIOA, and CareerSource Capital Region agrees to the following, in order to provide assurances to and protection for the Chief Elected Officials as to sound fiscal management of the Program in compliance with the Acts:

A. **Indemnification.** Unless determined to be contrary to applicable law, CareerSource Capital Region shall indemnify, pay the cost of defense, including attorneys' fees, and hold harmless the respective Boards of County Commissioners, its agents or employees; or by, or in consequence of any act or omission, neglect or misconduct in the performance of this Agreement; or on account of any act or omission, neglect or misconduct of CareerSource Capital Region, its agents or employees; or by, or on account of, any claim or amounts recovered under the "Workers' Compensation Law" or of any other laws, by-laws, ordinance, order or decree, except *only* such injury or damage as shall have been occasioned by the sole negligence of the respective Board of County Commissions.

B. **Disallowed Cost Liability.** In the event CareerSource Capital Region is found responsible for any disallowed costs, through whatever means, CareerSource Capital Region and the COUNTIES will mutually work to resolve all such disallowed costs. In the event that repayment of funds is demanded by the funding source, CareerSource Capital Region will have first responsibility for repayment, through its insurance, bonds, and grant or non-grant funds such as unrestricted funds as allowed by the Acts. If CareerSource Capital Region's insurance, bonds, grant or non-grant funds are insufficient for the demanded repayment, then any repayment obligation shall be determined as provided by the Acts.

C. **Additional Financial Assurances.** During the term hereof, in addition to any other remedies provided by law, the Acts, or in this Agreement, in the event the respective Boards of County Commissions reasonably determines that additional financial or performance assurances are necessary to protect the interests of the respective Boards of County Commissions, as the Chief Elected Officials, after written notice to CareerSource Capital Region, the COUNTIES may: (i) require CareerSource Capital Region to withhold payments from its designated one stop operator(s) or service providers; (ii) require that all contracts, and payments thereon, provide for the retainage of a portion of payments due; (iii) make any appearances in any proceedings or conduct any reviews or examinations the respective Boards of County Commissions reasonably deems

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necessary; or (iv) post such security, as the respective Boards of County Commissions reasonably deems necessary, for the performance of any obligations as provided in the Acts or this Agreement.

7. Term and Termination:

A. **Term.** The term of this Agreement shall commence on the Effective Date or the filing of this Interlocal Agreement as provided in paragraph 13 herein, whichever occurs last, and continues through June 30, 2020, unless otherwise terminated as provided herein. Thereafter, this Agreement shall automatically renew for additional one year terms commencing on July 1 and ending in June 30, unless any party provides written notice of its intent not to renew on or before March 1 of any extension period.

B. **Termination for Convenience.** Either Party may terminate this Agreement, without cause, by giving one hundred fifty (150) days prior written notice of the termination hereof pursuant to this provision.

C. **Termination on Default.**

1. Each of the following shall constitute an Event of Default:

(a) The failure or refusal by any of the 4 parties to substantially fulfill any of its obligations in accordance with this Agreement, provided, however, that no such default shall constitute an Event of Default unless and until a non-defaulting party has given prior written notice specifying that a default or defaults exist which will, unless corrected, constitute a material breach of this Agreement, and the defaulting party has either corrected such default or has not cured the defaults, as determined by the non-defaulting parties within thirty (30) days from the date of such notice;

(b) The written admission by CareerSource Capital Region that it is bankrupt, or the filing by a voluntary petition as such under the Federal Bankruptcy Act, or the consent by CareerSource Capital Region to the appointment by a court of a receiver or trustee or the making by CareerSource Capital Region of any arrangement with or for the benefit of its creditors involving an assignment to a trustee, receiver or similar fiduciary regardless of how designated, of all or a substantial portion of Contractor's property or business, or the dissolution or revocation of CareerSource Capital Region's corporate charter.

2. Upon the occurrence of an Event of Default, the non-defaulting party (ies) shall have the right to immediately terminate this Agreement upon written notice to the party (ies) in default.

D. **Termination of Funding.** In the event that sufficient budgeted state formula funds are not available for a new fiscal period, the respective Boards of County Commissions shall notify CareerSource Capital Region of such occurrence and the Agreement shall terminate on the last day of the current fiscal period without penalty or expense to the respective Boards of County Commissions.

8. Notice:

Except as otherwise provided in this Agreement, any notice required or permitted to be given hereunder shall be delivered personally or sent by mail with postage pre-paid to the following addresses or to such other places as may be designated by the parties hereto from time to time.

For CareerSource Capital
Region:

For GADSDEN
COUNTY:

For LEON COUNTY:
Chairperson

For WAKULLA COUNTY:
Chairperson

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CareerSource Capital Region Chief Executive Officer 325 John Knox Road, Atrium Building, Suite 102 Tallahassee, Florida 32303	Chairperson Gadsden County Board of Commissioners PO Box 1799 Quincy, Florida 32351	Leon County Board of Commissioners 301 S. Monroe Street, 5 th Floor Tallahassee, Florida 32301	Wakulla County Board of Commissioners PO Box 1263 Crawfordville, Florida 32326
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9. Modification:

This Agreement may be modified by the mutual consent of the parties thereto, in any lawful manner and consistent with the Acts, Regulations or any rule promulgated thereto.

10. Resolution of Disagreements:

A. To facilitate the timely and effective resolution of any controversy or dispute that may arise under this Agreement, the Gadsden County Board of Commissioners, the Leon County Board of Commissioners, and the Wakulla County Board of Commissioners, the Chairperson of CareerSource Capital Region and each county's Administrators shall undertake negotiations to resolve the matter. To the extent the controversy or dispute cannot, after good faith effort, be resolved either party may refer the matter to non-binding mediation. The dispute will be mediated by a mediator chosen jointly by CareerSource Capital Region and COUNTIES within thirty (30) days after written notice demanding non-binding mediation by either party. Neither party may unreasonably withhold consent to the selection of a mediator, nor will CareerSource Capital Region along with the COUNTIES share the cost of the mediation equally. The parties may also, by mutual agreement, replace mediation with some other form of non-binding alternate dispute resolution ("ADR") procedure. The payment of costs incurred to address the mediation will be determined based on the area of service. (e.g., population, usage of services, etc.)

B. In the event that any claim, dispute or demand cannot be resolved between the parties through negotiation or mediation as provided herein within 60 days after the date of the initial demand for non-binding mediation, then either party may pursue any remedies as provided by Law.

11. Severability:

In the event any terms or provisions of this Agreement or the application to any of the parties hereto, person or circumstance shall, to any extent, be held invalid or unenforceable, the remainder of this Agreement, or the application of such terms or provision to the parties hereto, persons or circumstances other than those as to which it held invalid or unenforceable, shall not be affected thereby and every other term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

12. Filing of Agreement:

This Agreement shall be filed with each county's Clerk of the Circuit Court.

13. Termination of Original Interlocal:

This Agreement supersedes all prior agreements between the parties, and said prior agreements, including the Original Interlocal between the parties are hereby terminated.

**BIG BEND JOBS & EDUCATION COUNCIL, INC. d/b/a CareerSource Capital Region
GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS
LEON COUNTY BOARD OF COUNTY COMMISSIONERS
WAKULLA COUNTY BOARD OF COUNTY COMMISSIONERS
INTERLOCAL AGREEMENT**

THIS AGREEMENT IS ENTERED INTO ON BEHALF OF:

GADSDEN COUNTY

Gadsden Consortium Member, Eric Hinson

Date of Commission Action

APPROVED AS TO FORM:

BY: _____
Gadsden County Attorney

ATTEST: Gadsden County Clerk of the Circuit Court

BY: _____
Gadsden County Clerk of the Circuit Court

LEON COUNTY

Leon Consortium Member, Nick Maddox

Date of Commission Action



APPROVED AS TO FORM:

Leon County Attorney

ATTEST: Leon County Clerk of the Circuit Court

BY: John Stott, Deputy Clerk
Leon County Clerk of the Circuit Court

WAKULLA COUNTY

Wakulla Consortium Member, Jerry Moore

Date of Commission Action

APPROVED AS TO FORM:

Wakulla County Attorney

ATTEST: Wakulla County Clerk of the Circuit Court

BY: _____
Wakulla County Clerk of the Circuit Court

**BIG BEND JOBS & EDUCATION
COUNCIL, INC. d/b/a CareerSource Capital Region**

CareerSource Capital Region Chairperson, George Banks

APPROVED AS TO FORM:

BY: _____
Secretary, Beth Kirkland

**BIG BEND JOBS & EDUCATION COUNCIL, INC. d/b/a CareerSource Capital Region
GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS
LEON COUNTY BOARD OF COUNTY COMMISSIONERS
WAKULLA COUNTY BOARD OF COUNTY COMMISSIONERS
INTERLOCAL AGREEMENT**

THIS AGREEMENT IS ENTERED INTO ON BEHALF OF:

GADSDEN COUNTY

Gadsden Consortium Member, Eric Hinson

Date of Commission Action

APPROVED AS TO FORM:

BY: _____
Gadsden County Attorney

ATTEST: Gadsden County Clerk of the Circuit Court

BY: _____
Gadsden County Clerk of the Circuit Court

LEON COUNTY

Leon Consortium Member, Nick Maddox

Date of Commission Action

APPROVED AS TO FORM:

Leon County Attorney

ATTEST: Leon County Clerk of the Circuit Court

BY: _____
Leon County Clerk of the Circuit Court

WAKULLA COUNTY

Ralph Thomas

Ralph Thomas, Chairman

June 1, 2015

Date of Commission Action

APPROVED AS TO FORM:

[Signature]

Wakulla County Attorney

ATTEST: Wakulla County Clerk of the Circuit Court

BY: Brent X. Thurmond

Wakulla County Clerk of the Circuit Court

**BIG BEND JOBS & EDUCATION
COUNCIL, INC. d/b/a CareerSource Capital Region**

[Signature]

CareerSource Capital Region Chairperson, George Banks

APPROVED AS TO FORM:

BY: [Signature]

Secretary, Beth Kirkland





July 7, 2015

To the Attention of Budget Review
CareerSource Florida.
1580 Waldo Palmer Lane – Ste. 1
Tallahassee, FL 32308

To Whom It May Concern:

Per the executed interlocal agreements which outline the established role of CareerSource Capital Region and the Gadsden, Leon and Wakulla County Commissions these entities have all agreed to the formation of the Workforce Development Consortium (WDC). The WDC made up of a designee from each county commission body has been tasked with the following: CareerSource Capital Region budget and audit approval.

Therefore, the attached budget is being submitted on behalf of the Big Bend Jobs & Education Council, Inc. d/b/a CareerSource Capital Region (RWB5). This supplemental document recognizes the approval received from the following entities:

- CareerSource Capital Region Board of Directors and Chairperson
- Workforce Development Consortium (i.e. Chief Elected Officials)

Gadsden Consortium Member, Eric Hinson

7/10/15

Date

Leon Consortium Member, Nick Maddox

7/8/15

Date

Wakulla Consortium Member, Jerry Moore

8/4/15

Date

CareerSource Capital Region Chairperson, Patrick Hutto

8/5/15

Date

CareerSource Capital Region Chief Executive Officer, Jim McShane

8/4/15

Date

Toll Free: 1 (844) CAREER1
info@careersourcecapitalregion.com
careersourcecapitalregion.com

Administration/Executive Center
325 John Knox Road
Atrium Building, Suite 102
Tallahassee, FL 32303
P: (850) 414-6085
F: (850) 410-2595

Gadsden County
Career Center
1140 West Clark Street
Quincy, FL 32351
P: (850) 875-4040
F: (850) 875-3324

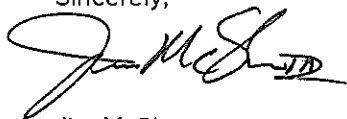
Leon County
Career Center
2525 South Monroe Street, Suite 3A
Tallahassee, FL 32301
P: (850) 922-0023
F: (850) 921-8295

Wakulla County
Career Center
3278 Crawfordville Highway #G
Crawfordville, FL 32327
P: (850) 926-0984



Questions related to the submitted budget should be directed to Matthew Salera, Chief Financial Officer, CareerSource Capital Region at (850) 617-4606. If you have any other questions, I can be reached by e-mail at Jim.McShane@careersourcecapitalregion.com or by phone at 617-4601.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim McShane". The signature is fluid and cursive, with a large initial "J" and "M".

Jim McShane
Chief Executive Officer
CareerSource Capital Region

JM:ms

Attachment

**CAREERSOURCE CAPITAL REGION
FINANCIAL BUDGET
FISCAL YEAR 2015-2016
CONSOLIDATED**

	2014-2015 APPROVED BUDGET	2015-2016 PROPOSED BUDGET	VARIANCE
PROGRAM REVENUE			
Anticipated revenue	\$6,547,263	\$6,502,523	\$44,740
Total Revenue	\$6,547,263	\$6,502,523	\$44,740
DIRECT PROGRAM COSTS:			
Participant Tuition & Fees / Training	\$750,000	\$750,000	\$0
Books & Supplies	\$45,000	\$45,000	\$0
Uniforms	\$13,000	\$20,000	\$7,000
Transportation & Incentives	\$80,000	\$80,000	\$0
Testing/Certifications	\$70,000	\$70,000	\$0
Primary Services Contract - One-Stop Operations	\$2,566,000	\$2,480,000	(\$86,000)
Primary Services Contract - Work Experience	\$350,000	\$250,000	(\$100,000)
Economic Development/Industry Analysis	\$35,000	\$35,000	\$0
CareerSource Express	\$22,000	\$22,000	\$0
FL Trade Grant	\$38,750	\$0	(\$38,750)
Total Program	\$3,969,750	\$3,752,000	(\$217,750)
ALLOCATED COSTS & EXPENSES:			
Salaries & Benefits/Payroll Services	\$1,130,000	\$1,290,000	\$160,000
Accounting & Auditing	\$22,000	\$22,000	\$0
Advertising & Marketing	\$85,000	\$85,000	\$0
Board Expenses	\$6,500	\$6,500	\$0
Cell Phones/Pagers	\$6,500	\$6,500	\$0
Conferences & Seminars	\$9,000	\$9,000	\$0
Dues & Memberships	\$11,000	\$13,000	\$2,000
Facility Rent	\$644,914	\$595,523	(\$49,391)
Furniture	\$15,000	\$30,000	\$15,000
Insurance	\$22,000	\$22,000	\$0
Legal & Professional Fees	\$68,000	\$68,000	\$0
Maintenance Contracts	\$17,000	\$17,000	\$0
Postage	\$8,000	\$8,000	\$0
Recruiting/Staff Development/Recognition	\$22,000	\$22,000	\$0
Rentals	\$35,000	\$35,000	\$0
Repairs & Maintenance	\$26,000	\$26,000	\$0
Security	\$25,000	\$25,000	\$0
Supplies	\$39,000	\$39,000	\$0
Systems/Telephone	\$325,000	\$375,000	\$50,000
Temporary Help	\$9,000	\$9,000	\$0
Travel	\$42,000	\$42,000	\$0
Utilities	\$9,600	\$5,000	(\$4,600)
Total Allocated	\$2,577,513	\$2,750,523	\$173,010
TOTAL COSTS AND EXPENSES	\$6,547,263	\$6,502,523	(\$44,740)
TOTAL PROGRAM FUNDS AVAILABLE	\$8,727,478	\$7,757,638	(\$969,840)
SURPLUS OF TOTAL PROGRAM FUNDS AVAIL.	\$2,180,215	\$1,255,115	(\$925,100)

SURPLUS		
Workforce Investment	681,185	
Other	573,930	
Total	1,255,115	

** Per the recommendation of the Finance Committee, a minimum surplus of \$200,000 will be maintained to ensure that Fiscal Year 2016-17 budget is adequately funded.

**BIG BEND JOBS & EDUCATION COUNCIL, INC. d/b/a CareerSource Capital Region
GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS
LEON COUNTY BOARD OF COUNTY COMMISSIONERS
WAKULLA COUNTY BOARD OF COUNTY COMMISSIONERS
INTERLOCAL AGREEMENT**

THIS AGREEMENT IS ENTERED INTO ON BEHALF OF:

GADSDEN COUNTY

Eric Hinson
Gadsden Consortium Member, Eric Hinson

APPROVED AS TO FORM:

BY: *[Signature]*
Gadsden County Attorney



ATTEST: Gadsden County Clerk of the Circuit Court

July 7, 2015
Date of Commission Action

BY: *Marcella Blocker, Deputy Clerk*
Gadsden County Clerk of the Circuit Court

LEON COUNTY

Leon Consortium Member, Nick Maddox

APPROVED AS TO FORM:

Leon County Attorney

ATTEST: Leon County Clerk of the Circuit Court

Date of Commission Action

BY: _____
Leon County Clerk of the Circuit Court

WAKULLA COUNTY

Wakulla Consortium Member, Jerry Moore

APPROVED AS TO FORM:

Wakulla County Attorney

ATTEST: Wakulla County Clerk of the Circuit Court

Date of Commission Action

BY: _____
Wakulla County Clerk of the Circuit Court

**BIG BEND JOBS & EDUCATION
COUNCIL, INC. d/b/a CareerSource Capital Region**

CareerSource Capital Region Chairperson, George Banks

APPROVED AS TO FORM:

BY: _____
Secretary, Beth Kirkland

**Leon County
Board of County Commissioners**


Notes for Agenda Item #9

Leon County Board of County Commissioners

Cover Sheet for Agenda #9

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Acceptance of the Status Report on the County's Enforcement of Animal Cruelty and Inhumane Animal Care Violations

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Chad Abrams, Director, Emergency Medical Services
Lead Staff/ Project Team:	Cara Aldridge, Director, Division of Animal Control

Fiscal Impact:

This item has no fiscal impact to the County but seeks policy guidance from the Board that anticipates a minimal fiscal impact.

Staff Recommendation:

- Option #1: Accept the status report on the County's enforcement of animal cruelty and inhumane animal care violations.
- Option #2: Direct staff to bring back the necessary ordinance and policy modifications to strengthen the enforcement and collection of civil penalties by:
 - A. Formalizing the parameters in which the County seeks an order to show cause through the County Court for all violators with unpaid civil fines of more than \$250.
 - B. Authorizing the use of a collections agency for all unpaid civil citation violations of the Animal Control Ordinance.

Report and Discussion

Background:

At the March 8, 2016 meeting, the Board requested a status report on the County's efforts related to the enforcement of animal cruelty regulations. This item provides a recent history of Board actions on Animal Control issues, an overview of animal cruelty versus inhumane care, and a comprehensive review of the civil penalties process along with a summary of the unpaid citations for cases of inhumane care to animals. And finally, the item provides options for adding 'teeth' to the current process of collecting civil penalties thereby enhancing the enforcement of the Animal Control Ordinance. These options seek to improve the collection rate for civil infractions while avoiding measures that would place a pet owner in jail or require the County to unnecessarily take custody of animals.

The County has a long history of protecting the health and safety of citizens and domestic animals through the Division of Animal Control. Animal Control is the primary agency responsible for the enforcement of the County's Animal Control Ordinance (Attachment #1). Animal Control has employed a systematic approach of education, prevention and enforcement to achieve the goals established by the Board in the Ordinance. The following is a summary for some of the recent actions taken by the Board related to Animal Control issues:

September 23, 2014 – The Board provided \$29,250 of funding to Be The Solution, Inc. (BTS) for the funding of spay and neuter voucher distribution to unaltered pet owners in the County. BTS is a nonprofit organization that provides education about pet overpopulation and free or low cost spay and neutering to assist in getting as many animals altered as possible, thereby decreasing pet overpopulation.

February 25, 2014 – The Board approved the Animal Services Center (ASC) Interlocal Agreement with the City of Tallahassee which established a cost sharing methodology for the operating budget expenditures at the ASC, established a capital projects program for the ASC facility, and established standard operating procedures for operations of the ASC. This agreement is important to providing sheltering services, veterinary care and adoption services to unclaimed and homeless animals.

March 12, 2013 – The Board accepted a status report on the Feral Cat Workgroup which was convened to continue the conversation on identifying modifications to the Animal Control Ordinance regarding feral cats. The Workgroup facilitated community engagement with representatives from the ASC, Humane Society, rescue group volunteers, and concerned citizens but was unable to reach a consensus on approaches to feral cat management. Due to the divergent and adversarial positions among the workgroup, animal advocacy groups, health experts, and wildlife organizations, no ordinance modifications were adopted to address the feral cat issue.

February 12, 2013 – The Board adopted revisions to the Animal Control Ordinance which placed further restrictions on tethering of animals. These revisions were accomplished through the Tethering Workgroup which consisted of members from the City of Tallahassee Animal Services, Humane Society, rescue group volunteers and concerned citizens. The Tethering Workgroup was established by the Board to review this issue at its August 23, 2011 meeting. The composition of the workgroup was approved by the Board at the November 8, 2011 meeting. The Tethering Workgroup was able to provide consensus recommendations to the Board which were ultimately approved and codified through an ordinance modification. Throughout the process, the Board received significant public input, both in favor and opposition to the tethering modifications proposed in the ordinance.

February 12, 2013 – The Board approved an Agreement to participate in the American Society for the Prevention of Cruelty to Animals (ASPCA) Partnership with the Leon County Humane Society, BTS, the Tallahassee Leon County ASC, and the ASPCA. This program was a part of the ASPCA nationwide initiative that works with lead community agencies to increase the live release rates, saving the animals most at risk locally. The work was a collective effort based on sustainable, data-driven plans and programs that engage the community to reunite lost animals with their families, increase adoptions, foster spay/neuter efforts and support positive feral cats management.

Like many services offered by the County, Animal Control activities are more effective with the cooperation of various stakeholder organizations throughout the community. Animal Control has created a monthly stakeholder group of animal welfare organizations called the Capital Animal Advocacy Network (CAAN). The purpose of CAAN is to serve as a forum for animal welfare groups and community stakeholders to come together and work towards common goals of improving the conditions of animals in the community. CAAN has proven to be an important asset to Animal Control in providing educational and direct services to pet owners throughout the County. A recent example includes the County's 'Pet-ucation' community events which connect pet owners with community resources that offer free pet identification tags, collars, spay/neuter vouchers, small bags of dog food, and educational resources.

The animal welfare organizations engaged in CAAN frequently provide resources to pet owners which abate inhumane care conditions. These organizations offer assistance that enable owners to provide the care needed for their pets to be healthy. This cooperative approach not only improves the health conditions of the animal, it also decreases the number of animals that need to be impounded at the ASC and provides for better overall outcomes for the animals and their owners.

Analysis:

In preparing this report, staff reviewed the County's Animal Control Ordinance and related policies and procedures, state statutes related to animal control enforcement, Animal Control Officer training, the civil penalty citation process, and the criminal penalty process. Staff met with members of the State Attorney's Office, Clerk of Court, Leon County Sheriff's Office, and the City of Tallahassee Animal Services to review current processes and to identify areas for improvement. The following findings were identified through this process and are detailed throughout this item:

- A positive and cooperative relationship exists between the various agencies involved in the enforcement of the inhumane care and animal cruelty regulations.
- The County's Animal Control Ordinance is sufficient for defining animal care requirements.
- Animal Control Officers are adequately trained and capable of identifying, investigating and documenting violations; are appropriately issuing civil penalty citations for inhumane care violations; and are adequately facilitating animal cruelty investigations with the Sheriff's Office.

Animal Control Officers encounter cases of animal cruelty and inhumane care in the course of their duties and, through their training and experience, must be able to distinguish the difference when responding to a call. Animal Control Officers receive calls or tips from concerned neighbors and most often encounter moderate cases of inhumane care to pets. While inhumane care of animals may escalate to animal cruelty, in many instances owners may be failing to provide proper care to their animal out of ignorance or the inability to financially afford the needed care for their pet. Animal Control's systematic approach of education, prevention and enforcement to achieve compliance with proper animal care standards allows for the animal owner to correct identified problems prior to punitive actions. Additional information is provided below regarding the differences, standards, thresholds, and responses to cases of animal cruelty versus inhumane care.

Animal Cruelty

Animal cruelty generally involves more intentional acts against animals or the repeated, deliberate or egregious inhumane care of an animal. Animal cruelty is a criminal violation of Florida Statutes which is pursued through the criminal justice system. Section 828.12, Florida Statutes, states:

(1) A person who unnecessarily overloads, overdrives, torments, deprives of necessary sustenance or shelter, or unnecessarily mutilates, or kills any animal, or causes the same to be done, or carries in or upon any vehicle, or otherwise, any animal in a cruel or inhumane manner, commits animal cruelty, a misdemeanor of the first degree, punishable as provided in s. 775.082 or by a fine of not more than \$5,000, or both.

(2) A person who intentionally commits an act to any animal, or a person who owns or has the custody or control of any animal and fails to act, which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done, commits aggravated animal cruelty, a felony of the third degree, punishable as provided in s. 775.082 or by a fine of not more than \$10,000, or both.

(3) A person who commits multiple acts of animal cruelty or aggravated animal cruelty against an animal may be charged with a separate offense for each such act. A person who commits animal cruelty or aggravated animal cruelty against more than one animal may be charged with a separate offense for each animal such cruelty was committed upon.

Due to the construction of the statute, a higher burden of proof is placed on the state to move forward with criminal animal cruelty charges which can make proving the case difficult. This is particularly true when animals show signs of abuse, but no one witnesses how the animal was injured and there is no physical evidence to substantiate who is responsible for injuring the animal. Another challenge is Animal Control's ability to assess an animal when an owner is not home. The animal may be inside the home, inside a locked fence, or not clearly visible to the responding Officer. Animal Control does not attempt to enter a closed or locked gate unless the animal appears to be in severe distress and requires life-saving intervention. For these rare circumstances, Animal Control requests assistance from the Leon County Sheriff's Office.

In situations where Animal Control is able to assess the animal and suspects cruelty, the Officer on scene has the authority to remove/seize any animals that may be injured or in distress and contacts the Leon County Sheriff's Office to pursue criminal charges. The Animal Control Officer will assist law enforcement by providing case report documentation, including photographs of the conditions, veterinarian reports and any previous case reports related to the owner of the animal on file with the Division.

For these criminal matters in the unincorporated areas of the County, the Sheriff's Office is the lead investigating agency and works to secure enough evidence to establish probable cause to file charges. Animal Control remains engaged with the investigative efforts of the Sheriff's Office and provides any support necessary to move the investigation forward. If probable cause is established, the case is turned over to the State Attorney's Office for prosecution. It should be noted that not all cases are able to be prosecuted and occasionally charges are dropped and/or a plea agreement is made with the defendant. If the State Attorney's Office determines that there is insufficient evidence to move forward with criminal animal cruelty charges, the case may be referred back to Animal Control to issue a civil penalty citation for inhumane care. This distinction alters the venue and the imposition of penalties for the alleged misconduct as animal cruelty charges through the criminal justice system include misdemeanor and/or felony charges while violations of County Ordinance may result in the issuance of a civil citation.

From January 1, 2011 to December 31, 2015, Animal Control Officers referred 11 criminal animal cruelty cases to the Leon County Sheriff's Office for further investigation. Six (55%) of the 11 criminal investigations resulted in criminal charges being filed against the pet owner. Of those six criminal cases, four resulted in adjudications of guilt as a misdemeanor, one adjudicated guilty as a felony and one outstanding warrant for the perpetrator's arrest. The felony case resulted in a prison sentence while the misdemeanor cases required restitution, probation, and a couple served a brief amount of time in jail. If you omit the perpetrator with the outstanding warrant that is believed to have fled the area, the State Attorney's Office successfully prosecuted all five of the cases in which criminal charges were filed. Of the five cases that were not pursued by the State Attorney's Office, charges were dropped in three cases while two were referred back to animal control and received citations.

In preparing this report, staff engaged investigators from the Sheriff's Office and prosecutors from the State Attorney's Office to inquire as to the effectiveness of Animal Control Officers' investigations and reports that had been provided to those agencies for criminal cases. Both agencies were complimentary about the level of professionalism and the competence demonstrated by Animal Control Officers and both agencies believe that the cases provided to them by Animal Control are well developed and documented.

Inhumane Care

Inhumane care is not giving an animal necessary food, water, shelter or minor veterinary care when needed. If these situations are not corrected, the animal may suffer as much as animals that are deliberately harmed and their condition may progress to the point of death. The requirements for the humane care of an animal is outlined in Section 4-37 of Chapter 4 of the Leon County Code of Laws which reads;

4-37. – Humane Care Required.

(a) No owner shall fail to provide his or her animal with sufficient and wholesome food, proper shelter and protection from the weather at all times, veterinary care when needed to prevent suffering, sufficient exercise space, and humane care and treatment, including clean, sanitary, safe, humane conditions. The owner of an animal shall provide clean water for the animal in a sufficient quantity to maintain the animal in a healthy condition. Water shall be provided at all times in a stable container which is sized appropriately for the animal's species and breed.

(b) No person shall overload, overwork, torture, or torment, deprive of necessary sustenance, beat, mutilate or inhumanely kill, or otherwise abuse any animal or cause or permit the same to be done.

(c) No person shall abandon any animal by forsaking the animal entirely or by neglecting or refusing to provide or perform the legal obligations for care and support of the animal.

In addition, this section establishes requirements of operators of motor vehicles that strike a domestic animal to report same, establishes humane tethering standards, and prohibits activities related to animal fighting. Staff believes that this section of the Animal Control Ordinance is sufficient in defining the requirements of humane care and does not recommend any modifications at this time.

Inhumane care cases are investigated and handled by Animal Control in accordance with Board Policy No. 05-8, Leon County Division of Animal Control Policies and Procedures Manual (Attachment #2). Owners that are negligent in providing water, shelter or minor veterinary care to their animals are educated by Animal Control and given the opportunity to come into compliance with ordinance requirements.

Animal Control Officers regularly provide owners with information on programs and organizations that may be able to assist the owner in meeting the needs of their animal. The goal is to provide the owner with an opportunity to provide appropriate humane care to their animal without imposing a penalty that may further complicate the owner's ability to provide care for the animal.

Officers continually engage the owner and follow up at a later date to determine if the condition of the animal has improved. If the owner has not come into compliance by adequately addressing the identified problem, the animal may be impounded at the ASC and/or the owner may be issued a civil penalty citation with a minimum fine of \$250. If the animal is impounded at the ASC, the owner is not able to reclaim their pet until they meet with an Animal Control Officer to receive counseling and a citation. Officers will continue to follow up and engage the owner and if the owner has not come into compliance, a second offense citation will be issued requiring a mandatory court appearance and a fine up to \$500.

In all instances, the Animal Control Officer is authorized to immediately impound an animal if, in their professional judgment, the animal is not being provided the care it requires or appears to be in distress. For instance, if the Animal Control Officer is investigating a complaint that an animal appears ill, but the owner provides proof that they have sought and provided veterinary care to the animal and are complying with the treatment plan, it is likely that the animal will not be immediately impounded. If the owner has not sought veterinary care for the animal and resists seeking such care, the Animal Control Officer may impound the animal.

Civil Penalty Citations

This section provides a comprehensive review of the civil penalties process and the outstanding citations for cases of inhumane care to animals. Section 4-29 of Chapter 4 of the Leon County Code of Laws establishes the enforcement and penalties of the County's Animal Control Ordinance. The chapter allows any Animal Control Officer or any law enforcement officer that has probable cause to believe a violation has occurred, to issue a citation to the owner or keeper of the animal for the violation. A citation is defined in Chapter 4 as:

[A] written notice issued to a person by an animal control officer stating that the officer has probable cause to believe that the person has committed a civil infraction in violation of a duly-enacted ordinance and that the county court will hear the charge.

When a first citation for inhumane care is issued, the defendant has three options: (1) pay the \$250 fine and \$23 Clerk of Court fees within 30 days; (2) contact the Clerk of Courts to schedule a hearing to contest the citation within 30 days; or (3) contact the Clerk of Courts to establish a payment plan.

If the individual contests the citation, a hearing is scheduled before a hearing officer in County Court. If the citation is adjudicated guilty, the individual is responsible for paying the \$250 fine, \$23 in Clerk of Court fees and \$40 in court costs. It should be noted that the hearing officer has broad power and may impose any penalty they believe to be appropriate or may dismiss the citation. If the citation is adjudicated not guilty or dismissed, Animal Control is required to pay the \$40 in court costs.

When a second citation for inhumane care is issued, the defendant is required to appear in County Court before a hearing officer. At that hearing any of the following may occur; (1) if the individual is adjudicated guilty then they are responsible for paying a \$450 fine, a \$23 Clerk of Court fee and \$40 in court costs; (2) if the defendant is adjudicated not guilty or if the citation is dismissed then Animal Control will be required to pay \$40 in court costs; or, (3) the hearing officer may assess a different fine and/or dismiss the case. If the recipient of the citation fails to appear in court they are typically adjudicated guilty and are responsible for paying the \$450 fine, the \$23 Clerk of Court fee and \$40 in court costs.

If the recipient does not pay the citation fines and fees within the allotted time frame, regardless of court appearance, the Clerk of Court will issue a civil judgment against the individual. This judgment lien is recorded in the official records of Leon County and may damage the credit of the individual. The unpaid citation fines and fees accrue interest until satisfied in full. The civil judgment process is used to better position the County if future legal action is required to collect the fines and is described later in this item.

Staff conducted a review of all civil penalty citations issued for inhumane care for the five year period from January 1, 2011 through December 31, 2015. Table #1 provides details related to the number of inhumane care citations issued during this timeframe and includes the number of defendants and total amount of the citations inclusive of any fees assessed to the defendant. Animal Control Officers issued 122 civil penalty citations to 72 different defendants for the inhumane care of animals. Of those 122 citations issued, only 17 (14%) were paid, 14 (11%) were dismissed by the court, and 91 citations (75%) totaling \$26,302 remain unpaid at this time. At the County's request, the Clerk of Court has issued civil judgments against all individuals with an outstanding civil penalty citation; however, this has resulted in very little impact on the payment of the citations.

Table #1: Civil Penalty Citations for Inhumane Care for CY 2011 - 2015

Year	Defendants	Citations Issued		Paid Citations		Unpaid Citations		Dismissed Citations	
2011	9	14	\$4,742	6	\$1,688	6	\$1,928	2	\$1,126
2012	23	42	\$11,985	6	\$1,216	35	\$10,496	1	\$273
2013	18	29	\$8,292	3	\$844	22	\$5,986	4	\$1,462
2014	13	25	\$7,345	1	\$703	21	\$5,896	3	\$746
2015	9	12	\$3,521	1	\$273	7	\$1,996	4	\$1,252
Total	72	122	\$35,885	17	\$4,724	91	\$26,302*	14	\$4,859

**The Unpaid Citations column does not include accrued interest*

Table #1 indicates that 86% of the inhumane care citations issued by Animal Control Officers result in a finding of guilt as they are either not contested or they are upheld by the Hearing Officer. However, the intended penalties established through the Ordinance are not being paid by the violators. Further, the figures in Table #1 do not even include lesser, non-egregious, offenses such as citations for excessive barking or not having a pet on a leash. In order to hold violators accountable for the civil penalty citations imposed by the Officers entrusted with enforcing the Animal Control Ordinance, additional efforts are needed to ensure compliance by enhancing the current process of collecting these civil penalties.

Florida Statutes authorize the County to file a motion with the County Court to show cause for unpaid citations. This action requires the defendant to appear in court and explain to the court why they have not paid the civil penalty. The court could then issue an order requiring the defendant to pay the outstanding penalties and fees which will likely include a payment plan based on the defendant's ability to pay. If the defendant continues to make payments, no further actions are required. If the defendant deviates from the court order, the County could file a motion for enforcement of the order which, if granted, would require the defendant to appear in court again. The court could hold the defendant in contempt and impose additional penalties including fines, community service or jailing the individual. It should be noted that the County has utilized this process in the past for habitual violators of the Animal Control Ordinance; however, it is not routinely used as a method of enforcing civil penalties. No matter the volume of defendants the County were to pursue in this fashion, each case is extremely time intensive for Animal Control staff and the County Attorney's Office while also adding hearings to the court docket hence the reason why this has only been used for habitual violators.

Option A: Staff recommends formalizing the utilization of the parameters in which the County seeks an order to show cause through the County Court, which is authorized by state law, for all violators with unpaid civil fines of more than \$250. This would include habitual non-egregious violators and most egregious violations with exception to individuals with only one unpaid citation for inhumane care.

Option B: The Board could also consider sending unpaid citations to a collections agency. Under this option, a policy could be established where civil penalties are sent to a contracted collections agency for collections efforts. Unlike the case management follow up by Animal Control focused on the well-being of the animal, the existing collections process is passive so individuals with an outstanding civil penalty citation are not routinely contacted for payment. To a certain extent this option replicates the credit damaging effects of the civil judgment entered by the Clerk of Court. However, this option would create an active collections process which may improve the overall collection rates and may be more cost effective than pursuing a civil judgment. A contracted collections agency could be utilized for a specified period of time before turning to the civil judgment process.

Option C: Another approach would be to provide an alternative to the monetary civil penalties through community service hours for both the defendants with outstanding balances and future violators. The Leon County Office of Intervention and Detention Alternatives (IDA) already has the programmatic infrastructure in place to facilitate and monitor defendant community service requirements and utilizes the same conversion formula as the courts to determine the appropriate amount of community service hours (\$10 = 1 hour).

For future violations of inhumane care, the citation itself could be modified to include an option for community service by contacting IDA within a specified time period similar to other civil diversion programs for misdemeanor offenses. Providing this alternative may help reduce the number of cases that would be turned over to a collections agency and/or the court system. A person who decides to perform community service hours would not be absolved from correcting the violations that led to the issuance of the citation.

Options A, B, and C are tools that can add 'teeth' to the current process of collecting civil penalties thereby enhancing the enforcement of the Animal Control Ordinance. These options seek to improve the collection rate for civil infractions through small fines, an active collections process, and community service hours while avoiding measures that would place a pet owner in jail or require the County to unnecessarily take custody of animals. Should the Board wish to pursue any of these options, staff will prepare the necessary policy and ordinance modifications for approval detailing the circumstances, thresholds, and acceptable time frames for each method.

There are also broader approaches that could be pursued to ensure that pets are being treated humanely and that pet owners are in compliance and good standing with local ordinances such as requiring identification microchips, pet licenses, zoning, etc. These approaches are much bigger in scope than the options presented herein but should the Board wish to consider these issues, staff would recommend convening a workgroup of stakeholders with a specific scope for evaluating such measures.

Conclusion

In preparing this report, staff reviewed the County's Animal Control Ordinance and related policies and procedures, state statutes related to animal control enforcement, the civil penalty citation process, and the criminal penalty process. Staff met with members of the State Attorney's Office, Clerk of Court, Leon County Sheriff's Office, and the City of Tallahassee Animal Services to review current processes and to identify areas for improvement including the effectiveness of Animal Control Officers' investigations and reports toward building criminal cases. In consultation with these agencies, staff found the County's Animal Control Ordinance to be sufficient for defining animal care requirements but acknowledged the need to improve collection rate for civil penalty citations.

Leon County has the elements in place to combat the inhumane care of animals and animal cruelty in the community. There is a cooperative environment between the agencies involved in the enforcement of inhumane care and animal cruelty regulations. Animal Control Officers are adequately prepared and trained to identify, investigate and document violations and have demonstrated their effectiveness in the number of cases that have resulted in guilty findings. The State Attorney's Office and the Leon County Sheriff's Office were both complimentary about the level of professionalism and the competence demonstrated by Animal Control Officers and found the animal cruelty cases to be well developed and documented.

Six (55%) of the 11 criminal investigations referred to the Leon County Sheriff's Office from January 1, 2011 to December 31, 2015 resulted in criminal charges being filed against the pet owner. If you omit the perpetrator with the outstanding warrant that is believed to have fled the area, the State Attorney's Office successfully prosecuted all five of the cases in which criminal charges were filed.

Of those 122 civil citations issued for inhumane care by Animal Control Officers totaling \$35,885 during that same time period, 91 citations (75%) or \$26,302 remains unpaid at this time. These figures do not even include lesser, non-egregious, offenses such as citations for excessive barking or not having a pet on a leash.

Several options are provided for adding 'teeth' to the current process of collecting civil penalties thereby enhancing the enforcement of the Animal Control Ordinance. These options seek to improve the collection rate for civil infractions while avoiding measures that would place a pet owner in jail or require the County to unnecessarily take custody of animals. In light of the findings, staff recommends strengthening the enforcement of the Animal Control Ordinance by formalizing the parameters in which the County seeks an order to show cause through the County Court for all violators with more than \$250 in unpaid civil fines (Option A) and authorizing the use of a collections agency for all unpaid civil citations (Option B). Staff is not recommending the community service approach (Option C) at this time as the Board may want to gauge the effectiveness of the first two measures prior to offering an alternative to the civil citation fine.

Based on the Board's direction, staff can bring back the necessary ordinance and policy modifications detailing the circumstances, thresholds, and acceptable time frames for each method. Animal Control staff will continue to engage stakeholders groups and partner agencies in its education, prevention, and enforcement role with regard to animal care.

Options:

1. Accept the status report on the County's enforcement of animal cruelty and inhumane animal care violations.
2. Direct staff to bring back the necessary ordinance and policy modifications to strengthen the enforcement and collection of civil penalties by:
 - A. Formalizing the parameters in which the County seeks an order to show cause through the County Court for all violators with unpaid civil fines of more than \$250.
 - B. Authorizing the use of a collections agency for all unpaid civil citation violations of the Animal Control Ordinance.
3. Direct staff to bring back the necessary ordinance and policy modifications that allows for community service hours to substitute as an alternative to the monetary civil violations of the Animal Control Ordinance (Option C).
4. Do not accept the status report on the County's enforcement of animal cruelty and inhumane animal care violations.
5. Board direction.

Recommendation:

Options 1 & 2.

Attachments:

1. Chapter 4 of the Leon County Code of Laws
2. Policy No. 05-8, Leon County Division of Animal Control Policies and Procedures Manual

Chapter 4 - ANIMALS^[1]

Footnotes:

-- (1) --

Cross reference— Health and human services, ch. 8; public nuisances, ch. 14; animals in parks, § 13-60; horses in class 3 parks, § 13-115; special acts relating to animals, app. A, ch. 3.

State Law reference— Authority to act in the common interest of the people of the county and exercise all powers and privileges not specifically prohibited (all in manner not inconsistent with law), F.S. § 125.01(1)(w); livestock at large, F.S. ch. 588; cruelty to animals, etc., F.S. ch. 828.

ARTICLE I. - IN GENERAL

Secs. 4-1—4-25. - Reserved.

ARTICLE II. - ANIMAL CONTROL^[2]

Footnotes:

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Editor's note—Ord. No. 05-02, § 1, adopted Jan. 25, 2005, amended art. II in its entirety to read as herein set out. Formerly, said article pertained to similar subject matter as enacted by Ord. No. 9201, adopted Jan. 14, 1992; as amended. See the Code Comparative Table for a detailed analysis of amendment.

Cross reference— Special Acts regarding animals, app. C, ch. 3.

State Law reference— Local animal control ordinances, F.S. § 828.27.

DIVISION 1. - GENERALLY

Sec. 4-26. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandon shall mean the act of placing an animal on public property or within a public building, unattended or uncared for, or on or within the private property of another without the express permission of the owner, custodian or tenant of the private property. An animal shall also be considered abandoned when it has been unattended and/or without adequate food, water, ventilation or shelter, for a period in excess of 24 hours, regardless of where such animal may be found or kept.

Aggressive animal shall mean any animal which has injured or killed a domestic animal in a first unprovoked attack while off of the premises of the owner.

Animal shall mean any living dumb domesticated creature or any captive wild creature.

Animal control officer shall mean any person employed or appointed by the county who is authorized to investigate, on public or private property, violations relating to animal control or cruelty to animals pursuant to state law and this article.

Animal shelter shall mean any facility designated by the county for the purpose of housing and caring for animals held under the authority of this article or state law.

At large shall mean any animal, other than a dog, which is off of the premises of the owner while not under the supervision of the owner, or, in the case of dogs, when any dog is off of the premises of the owner while not under the direct control of the owner.

Attack shall mean the act by any animal of approaching a domestic animal or a person in such a manner that hostile contact with the other animal or a person occurs.

Bite means that the skin has been penetrated by an animal's teeth.

Board shall mean the Board of County Commissioners.

Cat means the domestic cat, *Felis catus*.

Citation shall mean a written notice issued to a person by an animal control officer stating that the officer has probable cause to believe that the person has committed a civil infraction in violation of a duly-enacted ordinance and that the county court will hear the charge.

County health officer shall mean the person designated by the Board of County Commissioners pursuant to the definition in F.S. ch. 154 and F.A.C. ch. 64D-3.

Dangerous animal shall mean an animal that has, when unprovoked,

- (1) Aggressively bitten, attacked, or endangered or has inflicted severe injury on a human being on public or private property; or
- (2) Has more than once severely injured or killed a domestic animal while off the owner's property; or
- (3) Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion, or an apparent attitude of attack;
- (4) Provided that such actions as set forth and described in paragraphs (1), (2) and (3) above are attested to in a sworn statement by one or more persons and dutifully investigated by the appropriate authority.

Direct control shall mean:

- (1) Immediate continuous physical control of a dog at all times by means of a leash, cord, or chain of such strength to restrain the dog; and
- (2) Controlled by a person capable of restraining the dog; or
- (3) Safe and secure restraint within a vehicle.
- (4) Voice control shall be considered direct control when the dog is actively participating in certified training or official showing, obedience, or field events.
- (5) Direct control shall not be required of dogs actually participating in a legal sport in an authorized area or of government police dogs.

Director of animal control shall mean the person designated by the county administrator to enforce the ordinances and laws pertaining to animal control and cruelty to animals.

Division of animal control shall mean the agency designated by the Board of County Commissioners to enforce the ordinances and laws pertaining to animal control and cruelty to animals.

Dog means the domestic dog, *Canis familiaris*, or any of the various other animals of the family Canidae.

Domestic animal shall mean any equine or bovine animal, goat, sheep, swine, dog, cat, poultry, or other domesticated beast or bird.

Endanger shall mean risk of harm or imperil.

Exposure to rabies shall mean contact by any person, domestic animal or captive wild animal with saliva, brain tissue, or other potential infectious material of a rabid animal or of an animal suspected to be rabid due to its apparent ill health, or which is of a species commonly recognized to be a carrier of rabies, such as, but not limited to, raccoons, foxes, bats, skunks, and bobcats.

Feral animal shall mean any wild cat or dog, whether it was born in the wild or reverted to a wild state due to abandonment or lack of domestication.

Impoundment shall mean the taking up and confining of an animal by the division of animal control in a manner consistent with professionally-recognized standards of humane treatment.

Livestock shall mean all animals of the equine, bovine, or swine class, including goats, sheep, mules, horses, hogs, cattle, ostriches, and other grazing animals.

Neutered shall mean rendered permanently incapable of reproduction or permanently incapable of reproduction because of physiological sterility, but only where the neutered condition has been certified by a veterinarian licensed in any state.

Owner shall mean any person, firm, corporation or organization owning, possessing, harboring, or having control, custody and care of an animal. If the animal is owned by a person under 18 years, that person's parent or guardian.

Person shall mean any individual, firm, corporation, partnership, organization, or association.

Potential rabies carrier shall mean any species commonly recognized to be a carrier of rabies, such as, but not limited to, raccoons, foxes, bobcats, and skunks.

Proper shelter for an outdoor animal (excluding livestock) shall include, but is not limited to, a permanent structure with three sides, a top and a bottom. The structure shall have a waterproof roof, be structurally sound with three solid sides, top and bottom, and shall protect the animal from the elements, with space to stand up, sit down, turn around and lie down in a normal posture. The structure and surrounding area needs to be free of trash or waste so as not to threaten the physical well being of the animal. Examples of inadequate shelter include, but are not limited to, lean-tos, cardboard boxes, uncovered vented plastic airline carriers, abandoned vehicles, uncovered porches, uncovered decks, or material that does not provide sufficient protection from the elements.

Public nuisance shall mean:

- (1) Any animal which chases vehicles or molests passersby; or
- (2) Any animal, which runs at large upon public or private property without permission from the property owner; or
- (3) Any animal which soils, defiles, or defecates on public or private property, other than the property of the owner, unless the owner immediately removes and properly disposes of it; or
- (4) Any animal which causes unsanitary or dangerous conditions to exist; or

- (5) Any feral animal; or
- (6) Any animal which continuously barks, howls, or otherwise disturbs the peace; or
- (7) Failure to remove animal fecal matter such that adjacent property owners or inhabitants are unable to enjoy the use of his or her property due to the odor or smell.

Severe injury means any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery.

Tethering shall mean a rope, leash, pulley run or other means of constraint, which must be attached to the animal by a properly applied commercially available buckle-type collar, halter or harness and configured so as to protect the animal from injury and prevent entanglement with other objects and/or animals. This shall not apply to an owner who is walking or exercising their animal.

Unprovoked shall mean that the victim who has been conducting himself peacefully and lawfully has been bitten or chased in a menacing fashion or attacked by an animal.

Veterinarian shall mean a person who is licensed to engage in the practice of veterinary medicine as provided for in F.S. ch. 474.

Veterinary hospital or clinic shall mean any place or facility owned or operated by a licensed veterinarian and used for the practice of veterinary medicine in the diagnosis, treatment, and care of diseases of and injuries to animals, or used for the boarding of animals during such diagnosis, treatment or care, or used for the temporary boarding of animals belonging to the veterinarian's clients.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11; Ord. No. 13-05, § 1, 2-12-13)

Sec. 4-27. - Statutory authority.

This article is an exercise of authority under state law.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-28. - Area of enforcement.

This article shall be effective throughout the unincorporated area of the county and within any incorporated area of the county upon execution of an interlocal agreement with the incorporated area specifying the terms for implementation and enforcement of this article within the incorporated area. However, this ordinance shall not be applicable to research and instructional programs conducted in the interest of medical science by universities registered with the United States Department of Agriculture and operated under federal statutes and rules.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-29. - Enforcement generally; penalties.

- (a) In addition to or in lieu of impounding an animal which any animal control officer or any law enforcement officer has probable cause to believe is in violation of this article the officer may issue a citation to the owner or keeper of the animal, provided, however, that upon a second conviction within the same household of a violation of sections 4-35 through 4-39, the animal shall be confined to the owner's premises by means of an enclosure approved by the division of animal control for restraining the animal and for preventing its escape.

(b)

Any person to whom a citation is issued shall pay the fine by the designated date or appear in county court at the time, date and location designated in the citation.

- (c) Any person electing to appear or required so to appear waives the right to pay the minimum civil penalties.
- (d) Penalties shall be in addition to court costs as established by the county court.
- (e) The maximum civil penalty for each violation shall be \$500.00.
- (f) If a person to whom a citation is issued does not contest the citation and elects to pay the applicable civil penalty in lieu of appearing in county court, the civil penalty shall be less than the maximum civil penalty.
- (g) A mandatory court appearance shall be required for any of the following:
 - (1) Third and subsequent violations of this article, except as provided in section 4-29(g) (4), (5), (6), and (7).
 - (2) Third and subsequent violations which result in the destruction or loss of personal property.
 - (3) Second and subsequent violations which result in the unprovoked biting, wounding, or attacking of a domestic animal or person.
 - (4) Second or subsequent violations of sections 4-37 and 4-38.
 - (5) Violations of section 4-39.
 - (6) Second and subsequent violation of any provision pertaining to dangerous or aggressive animals which does not result in injury to a person or domestic animal.
 - (7) Violation of any provision pertaining to dangerous or aggressive animals which results in injury to a person or domestic animal.
- (h) Minimum civil penalties for violations of the article not otherwise listed above are as follows:

Code Section	Description of Violation	1st Violation	2nd Violation	3rd Violation and thereafter
<u>4-34</u>	Obstructing enforcement	\$50.00	\$100.00	\$250.00
<u>4-35</u>	Running at large	\$50.00	\$100.00	\$250.00
<u>4-36</u>	Public nuisance prohibited	\$50.00	\$100.00	\$250.00
<u>4-37</u>	Humane care required	\$250.00	Thereafter \$500.00 and mandatory court appearance	
<u>4-38</u>	Animals in motor vehicles	\$250.00	Thereafter \$500.00 and mandatory court appearance	

<u>4-39</u>	Exploitation of animals prohibited	\$500.00 and mandatory court appearance		
<u>4-40</u>	Repeated invalid complaints	\$50.00	\$100.00	\$250.00
<u>4-43</u>	Removal of animal waste	\$50.00	\$100.00	\$250.00
<u>4-44</u>	Number of animals, acreage restrictions/excess animals habitats	\$50.00	\$100.00	\$250.00
<u>4-45</u>	Permit required for multiple pets	\$50.00	\$100.00	\$250.00
<u>4-46</u>	Prohibition on feeding feral animals	\$50.00	\$100.00	\$250.00
<u>4-47</u>	Dogs and cats offered for sale; health requirements	\$50.00	\$100.00	\$250.00
<u>4-76</u>	Rabies vaccination required	\$50.00	\$100.00	\$250.00
<u>4-77</u>	Animal bites	\$50.00	\$100.00	\$250.00
<u>4-78</u>	Potential rabies carriers	\$50.00	\$100.00	\$250.00
<u>4-35</u> <u>4-36</u> <u>4-37</u> <u>4-38</u> <u>4-43</u> <u>4-47</u> <u>4-77</u>	Violations which result in the destruction or loss of personal property	\$100.00	\$250.00	\$500.00 and a mandatory court appearance.
<u>4-35</u> <u>4-36</u> <u>4-37</u> <u>4-38</u> <u>4-43</u> <u>4-47</u>	Violations which result in the unprovoked, biting, wounding or attacking of a domestic animal or person	\$450.00 (person) \$250.00 (animal)	\$500.00 thereafter and mandatory court appearance.	

<u>4-77</u>				
<u>4-96 to 4-103</u>	Violations of any provision pertaining to a dangerous animal which does not result in injury to a person or domestic animal.	\$250.00	\$500.00 thereafter and mandatory court appearance.	
<u>4-96 to 4-103</u>	Violations of any provision pertaining to aggressive animals which does not result in injury to a person or domestic animal	\$250.00	\$500.00 thereafter and mandatory court appearance.	
<u>4-96 to 4-103</u>	Violations of any provision pertaining to dangerous animals which does result injury to a person or domestic animal.	\$500.00 and mandatory court appearance.		
<u>4-96 to 4-103</u>	Violations of any provision pertaining to aggressive animals which does result in injury to a person or domestic animal.	\$500.00 and mandatory court appearance.		

(i) In addition to any penalties and/or court costs imposed by this article or the court, there shall be imposed and collected by the clerk of the court a \$5.00 surcharge upon each civil penalty imposed for all citations issued for violations of this article. All funds collected as a direct result of this surcharge shall be placed in a fund by the county to be utilized for funding training of Leon County Animal Control Officers as required by F.S. § 828.27(4)(b).

(j) All violations shall be recorded by owner, not by animal.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11; Ord. No. 12-10, § 1, 7-10-12)

Sec. 4-30. - Rules and regulations.

The Board of County Commissioners may, by resolution, enact reasonable rules and regulations to implement and carry out the provisions of this article and state law.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-31. - Designation of enforcement officers.

- (a) The Board of County Commissioners is hereby authorized to designate certain of its employees in the animal control division as enforcement officers, herein referred to as "animal control officers." The training and qualifications of the employees for such designation shall be determined by the board.
- (b) The director of animal control or any animal control officer shall have the authority to enforce this article. The director of animal control and each person designated as an animal control officer pursuant to F.S. ch. 828, may issue to the known owner or keeper of such animal a warning notice or citation as defined in section 4-29.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-32. - Enforcement procedures.

The procedures and guidelines used by the division of animal control in administration of this article shall be approved by the Board of County Commissioners. The procedures and guidelines submitted to the board shall take into consideration recommendations by interested parties such as licensed veterinarians, a persons knowledgeable in animal behavior, law enforcement officers, and interested citizens.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 12-10, § 2, 7-10-12)

Sec. 4-33. - Right of entry.

- (a) Pursuant to F.S. §§ 828.27, 828.073, and 125.01, the director of animal control and/or any animal control officer shall have the authority to enter public or unfenced private property within the county to carry out the duties imposed by this article.
- (b) Pursuant to F.S. §§ 828.27, 828.073, and 125.01, the director of animal control, and/or any animal control officer shall have the authority to enter fenced private property, exclusive of buildings, when:
- (1) The owner or keeper of an animal which has bitten or otherwise exposed a human or domestic or captive wild animal to rabies refuses to surrender such animal for rabies quarantine.
 - (2) The animal being sought was at large immediately prior to the division of animal control receiving a complaint that the animal was at large chasing people or domestic animals or was causing the destruction or loss of personal property, but subsequently returned to its owner's fenced private property, provided, however, that the animal has the capability to leave the fenced property by climbing, jumping, or crawling under the fence and provided that an attempt to contact the owner, if known, was unsuccessful.
 - (3) The division of animal control is taking possession of any animal found neglected or cruelly treated pursuant to F.S. §§ 828.27, 828.073 and 125.01.
 - (4) Pursuant to F.S. §§ 767.12 and 125.01, the division of animal control is taking possession of any animal initially determined as dangerous or aggressive.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-34. - Obstructing enforcement.

No person shall:

- (1) Refuse to surrender an animal upon lawful demand by the director of animal control or any animal control officer.
- (2) Interfere with the director of animal control of any animal control officer who is lawfully performing his or her duties.
- (3)

Hold, hide, or conceal any animal which the director of animal control or an animal control officer has deemed to be in violation of this article.

- (4) Take or attempt to take any animal from the director of animal control or an animal control officer or from any vehicle used by him to transport animals in the legal performance of his or her duties.
- (5) Take or attempt to take any animal from an animal control shelter, a humane live trap, or an animal carrier, without proper authority.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-35. - Running at large.

- (a) *Generally prohibited.* It shall be unlawful for any animal to run or remain at large on any street, road, alley, park or other public place. A street, road, alley, or other place shall be considered a public place, without respect to maintenance authority or ownership, if the area is under common ownership or control, or is generally accessible to the public.
- (b) *[Private property.]* It shall be unlawful for any animal to be on private property without the consent of the property owner whether or not the animal is under direct control.
- (c) *[Tethering.]* It shall be a violation of this article for the owner or keeper of any animal to tie, chain or otherwise tether such animal in such a manner that it has access to public property or the property of another without consent of that property owner.
- (d) *[Responsibility.]* The owner or keeper of any animal found running or remaining at large shall be responsible for any violation of this article.
- (e) *Dogs and cats in estrus (heat).* The owner of any female dog or cat in estrus shall keep such dog or cat confined in a building or secure enclosure, veterinary hospital, or boarding kennel in such manner that such female dog or cat cannot come in contact with a male dog or cat, except for intentional breeding purposes.
- (f) *Exceptions.* This section shall not apply to:
 - (1) Any dog actually engaged in a legal sport, including supervised hunting within authorized areas.
 - (2) Any dog or cat being officially showed or trained.
 - (3) Any animal that is especially trained to assist or provide personal services for a disabled person, as defined under the American With Disabilities Act.
 - (4) Government police dogs.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-36. - Public nuisance prohibited.

- (a) It shall be unlawful for any person to allow his or her animal to become a public nuisance.
- (b) The owner of any domestic or captive wild animal which is a public nuisance shall be subject to the procedures and penalties set forth in section 4-29.
- (c) Any animal which is feral shall be classified as a public nuisance and may be impounded and humanely euthanized. Feral animals may not be required to be held for a minimum period of time as is required for other stray animals (as provided in division 2).
- (d) Any nuisance complaint may be investigated by animal control or law enforcement. The owner shall first be given written notification by the county of the public nuisance, that the owner is required to make reasonable effort to abate the nuisance within seven calendar days of the written notice of

violation, and that subsequent violations or failure to abate the nuisance may result in the issuance of a citation to the owner for allowing his or her animal to become a nuisance.

- (e) Subsequent violations, after warning, shall be based on the animal control officer or law enforcement having personal knowledge of the nuisance or at least two affidavits from different parties residing in close proximity to the alleged nuisance must be received. Close proximity shall mean residing within a radius of 200 feet from the residence or location of the offending animal or property but shall not preclude the consideration of evidence and testimony of persons living more than 200 feet from the residence or location of the offending animal. One affidavit may be sufficient to warrant an investigation where there is only one party in close proximity to the alleged nuisance.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § 1, 8-23-11)

Sec. 4-37. - Humane care required.

- (a) No owner shall fail to provide his or her animal with sufficient and wholesome food, proper shelter and protection from the weather at all times, veterinary care when needed to prevent suffering, sufficient exercise space, and humane care and treatment, including clean, sanitary, safe, humane conditions. The owner of an animal shall provide clean water for the animal in a sufficient quantity to maintain the animal in a healthy condition. Water shall be provided at all times in a stable container which is sized appropriately for the animal's species and breed.
- (b) No person shall overload, overwork, torture, or torment, deprive of necessary sustenance, beat, mutilate or inhumanely kill, or otherwise abuse any animal or cause or permit the same to be done.
- (c) No person shall abandon any animal by forsaking the animal entirely or by neglecting or refusing to provide or perform the legal obligations for care and support of the animal.
- (d) Any person who, as the operator of a motor vehicle, strikes a domesticated animal, should immediately report such incident to any law enforcement agency or to the division of animal control.
- (e) Tethering. No person shall under any circumstances tether or otherwise confine any animal in a manner that is injurious to the animal's health, safety and well-being. Proper and humane tethering includes, but is not limited to the following:
- (1) Collars used to attach an animal should be comfortable and properly fitted. The use of choker collar or chain is prohibited.
 - (2) The tether shall not extend over an object or edge in such a manner that could result in strangulation of or injury to the animal. The length of the tether must be a minimum of six feet, or at least three times the length of the animal measured from the animal's nose to the base of its tail, whichever is greater, unless the tether is being used to secure the animal to the bed of an open vehicle or pick-up truck. The tether must have a swivel at both ends to prevent entanglement. Restraints should allow the animal to move about and lie down comfortably. Pulley, running line, or trolley systems must be at least 15 feet in length and less than seven feet above the ground.
 - (3) Tethering of an animal is prohibited during severe weather events and natural disasters such as flood, fires, tornadoes, hurricanes or blizzard.
 - (4) No animal shall be confined to a vacant or abandoned structure or vacant property.
 - (5) The weight or gauge of any tether or chain shall not be more than one-eighth of the animal's weight. Logging chains and vehicle tow chains are prohibited. No person shall add any weight to an animal collar, harness, chain or tether.
 - (6)

Animals are not to be tethered outside during extreme weather events, including, but not limited to, extreme heat or cold, thunderstorms, lightning, tornadoes, tropical storms, hurricanes, or snow.

- (7) The animal tethered must be at least six months of age. Puppies and kittens shall not be tethered.
- (8) The animal tethered must not be sick or injured.
- (f) Any person who commits any of the following acts shall be in violation of this section:
 - (1) Baiting, breeding, training, transporting, selling, owning, possessing, or using any wild or domestic animal for the purpose of animal fighting or baiting;
 - (2) Betting or wagering any money or other valuable consideration on the fighting or baiting of animals;
 - (3) Attending the fighting or baiting of animals;
 - (4) Owning, possessing, or selling equipment for the purpose of animal fighting or baiting;
 - (5) Providing or allowing property for use in the housing, training, transport, fighting or baiting of animals.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11; Ord. No. 13-05, § 2, 2-12-13)

Sec. 4-38. - Animals in motor vehicles.

- (a) No operator of a motor vehicle shall transport or keep an animal in or on any motor vehicle unless the animal is safely enclosed within the cab of the vehicle or protected by a container, cage, cross tethering, or other device that will prevent the animal from falling from, being thrown from, or jumping from the motor vehicle.
- (b) No person shall transport, place or confine an animal or allow it to be placed or confined in the enclosed trunk of a vehicle.
- (c) It shall be unlawful for a motor vehicle owner or operator to place or confine an animal or allow it to be placed or confined or to remain in an un-attended motor vehicle without sufficient ventilation or under conditions for such a period of time as may reasonably be expected to endanger the health or well-being of such animal due to heat, lack of water, or such other circumstances as may reasonably be expected to cause suffering, disability or death of the animal.
- (d) Officers finding an animal under the conditions referenced above may rescue such animal from the vehicle following the policy established by animal control.
- (e) Any officer who acts in substantial compliance with the requirements of this section shall make the officer and/or the county immune from any criminal or civil liability.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-39. - Exploitation of animals prohibited.

It is unlawful for any person to promote, conduct or permit exploitive animal contests, performances, or exhibitions, in which animals are encouraged, forced, or trained to perform unnaturally, including, but not limited to, greased pig contests, equine basketball, diving equine acts, or roadside zoos or menageries.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-40. - Repeated invalid complaints.

Upon determination that a complaint is invalid, the investigating officer may notify the complainant in writing of the determination and the reason for the determination. Any person who has received a third notice of an invalid complaint within a 365-day period shall be deemed to have committed a violation of this chapter.

(Ord. No. 12-10, § 3, 7-10-12)

Sec. 4-41. - Procedure upon citation.

- (a) Any person cited for violation of the animal control ordinance shall be deemed to be charged with a civil infraction and cited to appear in county court.
- (b) Any person cited for an infraction under this section must:
 - (1) Sign and accept a citation indicating a promise to appear in county court at the time, date, and place indicated in the citation, or, in lieu of appearing, pay the applicable civil penalty prior to the court date noted on the citation.
 - a. *Exception.* No person to whom a citation has been issued which requires a mandatory court appearance may pay the civil penalty in lieu of appearing in county court.
- (c) Any person who willfully refuses to accept and sign the citation shall be in violation of state law and this article and shall be punished in accordance with F.S. §§ 775.082, 775.083, or 775.084, as provided by F.S. ch. 828.
- (d) If the person cited pays the applicable civil penalty in lieu of appearing in county court, he or she shall be deemed to have admitted the infraction and to have waived his or her right to a hearing on the issue of commission of the infraction.
- (e) Any person electing to appear or who is required so to appear shall be deemed to have waived his or her right to pay the minimum civil penalty.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-42. - Fees.

The Board of County Commissioners of Leon County, Florida, may, by resolution, establish and subsequently amend a fee schedule for the division of animal control which shall be administered by the division. All fees collected under this section that are not expended in the current fiscal year, shall be carried over to the succeeding fiscal year for expenditure in the division of animal control.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-43. - Removal of animal waste.

- (a) It shall be unlawful for any owner of an animal to fail to remove any feces deposited by his or her animal on public walks, recreation areas, public streets, or private property other than the premises of the owner of the animal.
- (b) This section shall not apply to disabled persons accompanied by a service animal used for assistance in accordance with the law.

(Ord. No. 11-21, § 1, 8-23-11)

Sec. 4-44. - Number of animals, acreage restrictions/excess animals habitats.

- (a) A person convicted of his or her second violation of sections 4-35, 4-36, 4-37 or 4-76 within a two-year period shall be subject to the provisions of sections 4-44 and 4-45. The second conviction may be of the same section as the initial violation or a subsequent conviction of another listed section.

Thereafter, it is a violation of this section if the person harbors a greater number of dogs and/or cats than allowed in the chart below without obtaining a multiple pet permit. The owner must comply with all animal care standards as required in section 4-45 of this chapter.

If you have:	Less than 1.5 acres	<u>1.5</u> to less than 3 acres	3 to less than 5 acres	5 acres or more
1—10 dogs and/or cats	No permit required	No permit required	No permit required	No permit required
11—20 dogs and/or cats	Prohibited without valid permit	No permit required	No permit required	No permit required
<u>21</u> —30 dogs and/or cats	Prohibited without valid permit	Prohibited without valid permit	No permit required	No permit required
31 plus dogs and/or cats	Prohibited without valid permit	Prohibited without valid permit	Prohibited without valid permit	*

* For each additional 1.5 acres over five acres, up to ten dogs and/or cats shall be allowed without a permit.

Acreeage determination excludes easements for roads or other areas that must allow public egress and ingress. All property must be contiguous.

- (b) References to dogs and cats in this section only refer to dogs and cats older than four months. There are no restrictions on the number of dogs and cats younger than four months old that can be on the premises.
- (c) A person subject to this section must apply for a permit within 15 days of being convicted of a second violation as defined in subsection (a), above.
- (d) If it is determined that a person is in violation of this section, such person shall be allowed 30 days from the notice of violation to come in to compliance. Failure to timely comply will result in subsequent violation.

(Ord. No. 11-21, § I, 8-23-11; Ord. No. 12-10, § 4, 7-10-12)

Sec. 4-45. - Permit required for multiple pets.

(a) Requirements.

- (1) Any person subject to these provisions who is in possession of more dogs and/or cats than authorized in section 4-44 without a multiple pets permit ("permit") shall have 30 days from the effective date of this ordinance [from which this section was derived] to either obtain a permit or otherwise comply with that section.

- (2) A permit shall be issued only after the division completes an inspection and determines that the minimum requirements and standards, as set forth in this chapter, have been met. After approval, a permit shall be issued upon payment of the applicable fee. The applicant shall pay an application fee of \$100.00 at the time of filing. The permit shall be prominently displayed on the premises where animals are located.
 - (3) The permit is valid for a period of one year from the date of issuance, unless otherwise stated or revoked. The permit shall be renewed annually. Said permit is not transferable, assignable or refundable and shall be valid only to the applicant and location for which it was originally issued. Renewal applications for permits shall be made within 30 days prior to the expiration date.
 - (4) A permit holder shall use the initial permit issue date as the anniversary date for the purposes of permit expiration and renewal.
 - (5) It shall be a condition of the issuance of any permit that the division shall be allowed, at any reasonable time, with the owner present, to inspect all dogs and/or cats and all premises where dogs and/or cats are kept.
 - (6) No permit shall be renewed hereunder if an applicant has had his or her permit revoked within two years of the date of application, or has outstanding and unsatisfied civil penalties imposed due to violations of this chapter.
- (b) *Inspection procedures.*
- (1) Inspection required. Applicants shall submit to an in-home, property, and out building inspection (wherever the dogs and/or cats will be housed) by a county animal control officer prior to the issuance of a permit.
 - (2) Initial inspections of multiple pet facilities will be made with advance notice, during normal business hours or at any reasonable time during daylight hours. All inspections will be made in the presence of the owner whenever possible.
 - (3) Whenever deficiencies are noted or the division receives a complaint from the public, a follow-up inspection of the establishment, may be initiated by the division.
 - (4) A permit shall not be issued if the inspection determines:
 - a. That the requested number of dogs and/or cats cannot be maintained without creating noise or odor nuisances;
 - b. That the requested number of dogs and/or cats cannot be maintained in a healthy and sanitary environment;
 - c. That any dogs and/or cats at the location are not in compliance with all provisions of this chapter.
 - (5) The owner shall correct or initiate corrections within seven days of the initial inspection, unless otherwise stated by the inspecting officer. Subsequent inspection is required to confirm corrections.
 - (6) By notice of adverse action, the division shall deny or revoke any permit if it is determined that:
 - a. There has been a material misstatement or misrepresentation in the permit application;
 - b. The owner has been convicted of his or her fifth violation of sections 4-35, 4-36, 4-37 or 4-76 within a two-year period of filing an application or renewal. The convictions may be for violations of the same section or any combination of violations of the listed sections;
 - c.

The owner has failed to pay a fine or to request a hearing in county court to answer the charges of a third citation issued in violation of this chapter within 90 days of issuance of the violation;

- d. The permit holder or any of his agents have been convicted of a violation of law involving cruelty to animals;
 - e. An animal under the care and responsibility of a permit holder has been found to be in need of immediate veterinary care that, if not treated, would result in unnecessary suffering, pain or death; or
 - f. The permit holder and/or their employees/agents, is convicted of his or her third violation of any part of section 4-45(d).
- (7) No inspection required. Applicants who provide proof of having a current permit, and who have not obtained additional dogs and/or cats since their last inspection, and have had no enforcement actions for violating this chapter during the preceding 12 months, and all dogs and/or cats are current on rabies vaccination with proof provided to the animal control division, may be issued a permit by mail without inspection. The animal control division may require an inspection during reasonable hours at their discretion regardless of the applicant's history.
- (c) *Application review.* Within ten days of an inspection or receipt of an application pursuant to subsection (b)(7), above, the division shall issue a written notice of approval or denial.
- (d) *Violations.*
- (1) A person commits an offense if the person harbors a greater number of dogs and/or cats than allowed in section 4-44 without obtaining a permit. If a citation is issued, the person will then have 14 days from the issue date to comply with this section. Failure to comply within the stated time will result in a subsequent violation.
 - (2) A person commits an offense if the person is the holder of a permit and harbors more dogs and/or cats than authorized in the permit. If a citation is issued, the person will then have 14 days from the issue date to comply with this section. Failure to comply within the stated time will result in a subsequent violation.
 - (3) A person commits an offense if the person is a holder of a permit and the person refuses, upon request by a county animal control officer during reasonable hours, to make his dogs and/or cats, premises, facilities, equipment, and any necessary registrations or permits available for inspection.
 - (4) A person commits an offense if the person is a holder of a permit and the person refuses to show the permit upon request by a county animal control officer or law enforcement.
 - (5) A person commits an offense after an inspection has revealed noncompliance with this chapter.
- (e) *Appeal process.*
- (1) Any permit holder or applicant who has been denied a permit or whose permit has been revoked may appeal this action to the division of animal control. A written petition for appeal must be filed with the division within ten days of the notice of adverse action. Otherwise, the denial or revocation of the permit shall become final.
 - (2) The appeal must be heard by the review committee within 30 calendar days after the permit holder or applicant has submitted a petition for appeal. The appeal may be delayed by the division beyond the 30 calendar days if the division experiences extenuating circumstances beyond its control.

- (3) Such hearing shall be convened by the review committee. The review committee shall consist of a licensed veterinarian, the Leon County Sheriff or his/her designee, and an informed citizen appointed by the Leon County Board of County Commissioners.
- (4) In hearings before the review committee, formal rules of evidence shall not apply, but fundamental due process shall be observed and govern the proceedings. The review committee shall decide the issues based upon the preponderance of the evidence. If the review committee finds sufficient cause to deny or revoke a permit its decision shall be final.
- (5) Request for continuance. If the permit holder or applicant cannot appear at any hearing scheduled by the review committee, he or she shall contact the division of animal control no later than 48 hours prior to the hearing, requesting a one-time continuance to the next available date.
- (6) Waiver. If the permit holder or applicant fails to appear at the rescheduled classification hearing, then he or she shall be deemed to have waived his or her right to appear at such hearing. In such case, the division of animal control shall proceed with the hearing and shall notify the permit holder or applicant in writing of the findings of the committee.
- (7) Permit holder or applicant's right to contest final determination in the county court.
 - a. If the permit holder or applicant disputes the final determination of the review committee, he or she may file a complaint seeking relief in the county court, within ten business days following the date of receipt of the review committee's final determination.
 - b. The complaint shall be served upon the chairman of the Leon County Board of County Commissioners in accordance with F.S. ch. 48. A copy of the complaint seeking relief shall be served upon the county attorney's office.
 - c. The complaint shall comply with the standards and requirements set forth in the Florida Rules of Civil Procedures for bringing causes of actions.
 - d. Burden of persuasion. A complaint to contest the final determination order of the review committee shall be held by trial de novo in the county court. The party bringing the complaint shall have the initial burden of going forward with the evidence at trial.
- (8) If no legal action has been served upon the county within the time period specified above, or if the permit holder or applicant fails to appear at the judicial proceeding scheduled pursuant to the foregoing subpart, then he or she shall be deemed to have waived his or her right to protest such denial or revocation of the permit. In such case, the division of animal control shall proceed with revoking or denying the permit.
- (9) If the county court finds that the denial or revocation of the permit was improper as defined in this chapter, the permit shall be reissued or issued.
- (10) The person receiving the notice of adverse action shall, until final determination of the appeal, take whatever positive measures are necessary to prevent any future incidents from occurring.

(Ord. No. 11-21, § I, 8-23-11)

Sec. 4-46. - Prohibition on feeding feral animals.

- (a) *Prohibited.* Feral animals constitute health and environmental risks to domesticated animals, wildlife, and persons. It is a violation of this article for any person to feed or harbor feral animals.
- (b) *[Fine.]* Any person found in violation of this article shall be fined.
- (c) *Exceptions.*
 - (1) A person may feed or harbor a feral animal if the animal is spayed or neutered; and
 - (2)

A person may feed or harbor a feral animal if they accept legal responsibility for the animal, which includes ensuring compliance with all provisions of this chapter; and

- (3) A person may feed or harbor a feral animal while on private property and with the expressed written approval of the property owner.
 - (d) *[Animal control.]* Animal control has the right to impound a feral animal if:
 - (1) The animal creates public health and safety concerns (including rabies, other zoonotic diseases, and certain animal to animal disease); or
 - (2) The animal creates a public nuisance as defined in section 4-36.
- (Ord. No. 11-21, § I, 8-23-11)

Sec. 4-47. - Dogs and cats offered for sale; health requirements.

- (a) It shall be unlawful for any person to offer for sale or sell any dog, cat, puppy or kitten without first obtaining an official certificate of veterinary inspection pursuant to F.S. § 828.29. Dogs, cats, puppies or kittens offered for sale must be at least eight weeks old, free of internal and external parasites, and have proper inoculations as described below.
- (b) The official certificate of veterinary inspection shall document that the following inoculations, tests and treatments have been administered:
 - (1) Dogs/puppies.
 - a. Inoculated against: Canine distemper, leptospirosis, parainfluenza, hepatitis, canine parvo virus, and bordatella. A rabies inoculation must be provided for any dog four months of age or older.
 - b. Diagnostic tests to detect the following internal parasites: Hookworms, roundworms, whipworms, tapeworms, coccidia and giardia. Heartworm detection must occur for dogs six months of age or older. Appropriate treatment for all positive findings must be documented.
 - (2) Cats/kittens.
 - a. Inoculated against: Panleukopenia, feline viral rhino tracheitis, and calici virus. A rabies inoculation must be provided for any cat four months of age or older.
 - b. Diagnostic tests to detect the following internal parasites: Hookworms, roundworms, tapeworms and coccidia. Appropriate treatment for all positive findings must be documented.
 - c. The veterinarian shall date the official certificate of veterinary inspection upon the actual examination and administration of the inoculations and/or treatments. The sale of all dogs and cats must take place no more than 30 days after the official certificate of veterinary inspection has been issued. If a dog or cat is not sold within 30 days of the issuance of the official certificate of veterinary inspection, then a new examination and inspection certificate must be obtained.
 - d. No person shall display, give away, or offer for sale any live animal on private property without consent of the owner.
 - e. No person shall display, give away, or offer for sale any living animal on public land, rights-of-way, or easements except in areas that have been authorized and permitted by the county for such use.
 - f. The division of animal control, city-operated animal control agencies and registered nonprofit humane organizations shall be exempt from the provisions of this section. However, registered nonprofit humane organizations may be required to provide health records upon

request.

(Ord. No. 11-21, § I, 8-23-11)

Secs. 4-48—4-60. - Reserved.

DIVISION 2. - IMPOUNDMENT, REDEMPTION, ETC.

Sec. 4-61. - Authority of county.

The director of animal control or any animal control officer may pick-up, catch or confine any animal in violation of this article.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-62. - Restraint by property owner.

A property owner or tenant may restrain in a humane manner any animal found in violation of this article on his or her property. When such restraint is made, the property owner or tenant shall immediately notify the division of animal control. The property owner or tenant shall treat the animal humanely and shall exercise due care to ensure the animal's safety and well-being. The director of animal control or any animal control officer may impound any animal delivered by its owner, or may pick up and impound any animal restrained by a property owner as described above, and shall dispose of the animal pursuant to this article.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-63. - Redemption.

Stray animals which are impounded and are not suffering from or suspected of having an infectious disease, shall be held for a period of six calendar days from the date of impound, unless sooner redeemed by the owner. Animals that are ill or injured may be euthanized prior to the expiration of the sixth calendar day holding period in accordance with F.S. § 828.05. In instances when the owner of an impounded animal can be determined the director of animal control or any animal control officer shall make a reasonable attempt to contact the owner before the disposition of the animal. A reasonable attempt to contact the owner shall be satisfied by a telephone call to the telephone number provided by the owner on two separate days and times, and should the telephone method fail, by placing a notice in a conspicuous place on the owner's premises.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-64. - Disposal of animals.

- (a) Feral or unweaned animals may be euthanized immediately upon impoundment. Other animals not claimed at the end of the sixth calendar day or after the quarantine period and animals impounded pursuant to section 4-77 shall become the property of the county.
- (b) Before any animal may be adopted from the animal shelter, provision shall be made for such animal to be neutered with the following exceptions:
 - (1) A dog or cat claimed by the owner before the end of the sixth calendar day or at the end of the quarantine period shall not be required to be neutered before its release to the owner, except as required under section 4-67.
 - (2) If the dog or cat is under the age of six months, provisions shall be made to have it neutered at the age of six months.

- (3) Upon the request of a licensed veterinarian, and for a valid medical reason, such as the relative immaturity of a particular animal or breed at the required age of sterilization or the presence of a medical problem or condition in a particular animal which makes surgery at the time inadvisable, the director of animal control shall extend the time limits within which the animal must be sterilized.
- (c) No animal from the unincorporated area of the county which has been classified as dangerous, or which has been involved in an unprovoked bite or attack on a person or domestic animal, shall be placed for adoption from the animal shelter if the owner does not redeem the animal. An animal involved in a bite or attack on a person or domestic animal shall be placed for adoption into the unincorporated area of the county only with prior approval of the director of animal control, to be determined on a case-by-case basis.
- (d) Any animal not redeemed by its owner or adopted as a personal pet shall be humanely euthanized. (Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-65. - Fees.

Impoundment and board fees for animals under this division shall be as follows:

- (1) Impound fees for each animal shall be established by a resolution of the board.
- (2) Boarding fees, for each day the animal is impounded or partial day thereof, shall be established by a resolution of the board.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 07-14, § 1, 5-8-07)

Sec. 4-66. - Microchip implant.

All animals that are reclaimed shall be implanted with a microchip. The cost of the microchip may be assessed to the owner at the time the animal is redeemed.

(Ord. No. 11-21, § I, 8-23-11)

Sec. 4-67. - Spayed or neutered on reclaim.

All animals that are reclaimed, upon the second offense, shall be spayed or neutered within 30 days of reclaim. The costs of spaying or neutering shall be the responsibility of the owner. A deposit, determined by county policy, may be required prior to release of the animal to the owner. The deposit will be refunded after receipt of proof of spay or neuter in a manner and time frame determined by county policy.

(Ord. No. 11-21, § I, 8-23-11)

Secs. 4-68—4-75. - Reserved.

DIVISION 3. - RABIES CONTROL

Sec. 4-76. - Rabies vaccination required.

- (a) *Frequency; exception.* Every ferret, dog and cat four months of age or older shall be vaccinated against rabies with a U.S. government-approved vaccine. Each animal shall be required to be vaccinated no more frequently than the effective period of the approved vaccine used. Such vaccination is excused only if a licensed veterinarian certifies in writing that a vaccination would be injurious to the ferret's, dog's or cat's health. In such case, the ferret, dog or cat shall be confined in an enclosed building or kennel until the ferret, dog or cat can be safely vaccinated.

- (b) ***Proof of vaccination; tags.*** Proof of vaccination shall consist of a rabies vaccination certificate signed by the licensed veterinarian administering the vaccination and a rabies vaccination tag. The rabies vaccination tag shall be displayed around the ferret's, dog's or cat's neck at all times. A rabies vaccination certificate and a rabies vaccination tag issued for one ferret, dog or cat shall be not valid for any other ferret, dog or cat. Rabies vaccinations by a licensed veterinarian outside of the county shall be recognized as current rabies vaccinations in the county throughout the duration of the vaccine used.
- (c) ***Removal of tag.*** It is unlawful for any person to remove the rabies vaccination tag of any currently vaccinated ferret, dog or cat unless:
- (1) The ferret, dog or cat is participating in any organized exhibition or field trial, or is training for these events, or is engaged in a legal sport under competent supervision; or
 - (2) A licensed veterinarian directs in writing that the rabies vaccination tag be removed for reasons of the ferret's, dog's or cat's health. In such event, the ferret, dog or cat shall be confined until the veterinarian permits the tag again to be placed on the ferret, dog or cat; or
 - (3) The animal is securely confined.
- (d) ***Display of proof.*** It is unlawful for the owner of a ferret, dog or cat to refuse to show proof of current vaccination of such ferret, dog or cat by the end of the next business day if such information is requested by the director of animal control, any animal control officer or the Department of Health—Leon County Public Health Unit.
- (e) ***Rabies information to go to county.*** Any veterinarian administering a rabies vaccination to a ferret, dog or cat within the county shall furnish the information contained therein to the division of animal control or to the Department of Health—Leon County Public Health Unit upon request.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-77. - Animal bites.

- (a) Bite exposure and nonbite exposure shall be defined according to Chapter 64D-3, ("Control of Communicable Diseases & Conditions which May Significantly Affect Public Health"), F.A.C.
- (b) When any animal bites or wounds a human or when a human or domestic or captive wild animal is bitten by or exposed to rabies by a suspected or known rabid animal, the owner shall comply fully with Chapter 64D-3, ("Control of Communicable Diseases & Conditions which May Significantly Affect Public Health"), F.A.C.
- (c) It shall be the duty of any person having knowledge that an animal has bitten or otherwise exposed a person or domestic or captive wild animal to rabies, to report the incident immediately to the division of animal control or to the Department of Health—Leon County Public Health Unit for examination, or for supervised quarantine of the animal at the expense of the owner.
- (d) Any ferret, cat or dog which has bitten or exposed a human to rabies shall be quarantined for a period of not less than ten days from the date of exposure.
- (e) The procedures for the investigation of animal bites inflicted by animals other than ferrets, dogs and cats shall be followed in accordance with the provisions set forth in Chapter 64D-3, F.A.C.
- (f) The location and conditions of examination or quarantine of animals which have bitten or otherwise exposed a person to rabies shall be established by the county health officer, (Chapter 64D-3, F.A.C.).
- (g) It shall be unlawful for any person to hide, conceal, or refuse to surrender any animal for examination or quarantine upon lawful demand to do so by the division of animal control or the Department of Health—Leon County Public Health Unit.

(h) Any person having knowledge that a domestic animal has been bitten by or otherwise exposed to rabies by a wild animal of a species commonly recognized to be a carrier of rabies, such as, but not limited to, raccoons, foxes, skunks, bats, and bobcats, shall immediately report such bite or exposure to the division of animal control or to the Department of Health—Leon County Public Health Unit for the investigation of such bite or exposure.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-78. - Potential rabies carriers.

No person shall keep, own, possess, or harbor any potential rabies carriers as defined in this article as a personal pet within the county. Owners of potential rabies carriers obtained prior to June 1, 1988 shall be allowed to keep, own, possess, or harbor the animal, provided that they are properly permitted through state or federal agencies, and further provided that the animal was not obtained from the wild. Adequate living quarters and confinement must be provided for the animal which are consistent with the species' normal requirements for size, shelter, exercise area, heat, ventilation, light, and safety. All areas for the animal must be maintained in a sanitary manner. Owners of animals which were obtained prior to June 1, 1988 shall not replace a wild animal with another prohibited potential rabies carrier if the animal owned prior to June 1, 1988 becomes lost, is stolen, is given away, or dies. The prohibition on the ownership of potential rabies carriers shall not apply to property licensed or permitted museums, wildlife rehabilitators, zoological parks, or research facilities. It shall be the responsibility of the owner of any potential rabies carrier animal to provide proof of the acquisition date and the animal's source if requested to do so by the division of animal control.

(Ord. No. 05-02, § 1, 1-25-05)

Secs. 4-79—4-90. - Reserved.

DIVISION 4. - DANGEROUS AND AGGRESSIVE ANIMALS

Sec. 4-91. - Disposition generally.

- (a) *Aggressive classification.* Any animal classified as aggressive according to the definitions in this article shall be, at the time of being so classified, confined permanently to the owner's premises.
- (b) *Dangerous classification.* Any animal classified as dangerous according to the definitions in this article shall be, at the time of being so classified, either confined permanently to the owner's premises, or humanely destroyed.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-92. - Exception to classification.

- (a) No animal shall be classified as dangerous or aggressive because of injuries it has inflicted upon another domestic animal which at the time was teasing, tormenting, abusing, or assaulting the animal.
- (b) No animal shall be classified as dangerous if the threat, injury, or damage was sustained by a person who, at the time, was unlawfully on the property or, while lawfully on the property, was tormenting, abusing, or assaulting the dog or its owner or family member. No animal may be declared dangerous if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-93. - Petition for classification—Generally.

- (a) The division of animal control or any adult person may request under oath that an animal be classified as dangerous or aggressive as defined in this article by submitting a "petition for classification of a dangerous or aggressive animal," hereinafter called the "petition," to the division of animal control.
- (b) The matter may be referred to mediation at the request of the complainant and with the consent of the owner of the animal subject to classification. Pending petitions for classification will be placed in abeyance until the resolution of the mediation process. Mediation must be held no later than 30 days after receipt of the referral to mediation. Subsequent to receipt of a referral to mediation, the county will initiate an investigation into the matter. Such investigation shall be completed prior to the start of mediation. The parties to the mediation shall be the complainant, the owner of the allegedly dangerous or aggressive animal, and the county. The county shall be responsible for enforcing any agreement reached during mediation. Classification proceedings may be initiated by the county or the complainant upon failure to reach agreement or in the event of a violation of the terms of an agreement.
- (c) Upon receipt of a petition, the director of animal control shall notify the owner of the animal that a petition has been filed with the division, and that an investigation in the allegations as set forth in the petition will be conducted. No animal that is the subject of a dangerous or aggressive animal investigation may be re-located or ownership transferred pending the outcome of an investigation or any hearings related to the determination of a dangerous or aggressive animal classification. In the event that an animal is to be humanely destroyed, the animal shall not be re-located or ownership transferred prior to euthanasia.
- (d) Any animal that is the subject of a dangerous or aggressive animal investigation must be humanely and safely confined by the owner in a securely fenced or enclosed area approved by county animal control pending the outcome of the investigation. If the owner is unable to comply with this requirement, the animal that is the subject of a dangerous or aggressive animal investigation shall be impounded at the owner's expense pending the outcome of the investigation and resolution of any hearings related to the dangerous or aggressive animal classification.
- (e) Any animal that continues to violate the county ordinance while under a dangerous or aggressive animal investigation may be impounded pending the animal control director's initial determination at the owner's expense.
- (f) Initial determination of classification. Upon completion of the investigation, the director of animal control or his/her designee shall make an initial determination as to whether there is sufficient cause to classify an animal as dangerous or aggressive and shall afford the owner an opportunity for a hearing prior to making a final determination.
- (1) The animal control director shall provide written notification of the sufficient cause finding to the owner, by registered mail, certified hand delivery, or service in conformance with the provisions of F.S. ch. 48, relating to service of process.
 - (2) The animal initially determined to be dangerous or aggressive shall be impounded by the county at the owner's expense, pending the disposition of the hearing and/or compliance with harboring a dangerous or aggressive animal.
- (g) Owner's right to contest the initial determination of classification and final determination by the animal classification committee. Upon receiving written notification of the animal control director's initial determination of classification, the owner may contest the initial determination by filing a written request to the animal control division for a hearing within seven calendar days from the date

of receipt of the notification of the initial determination finding. Otherwise, the animal control director's initial determination shall become final. Such hearing shall be convened by the Leon County Animal Classification Committee. The Leon County Animal Classification Committee shall consist of a licensed veterinarian, the Leon County Sheriff or his/her designee, and an informed citizen appointed by the Leon County Board of County Commissioners.

- (1) If requested, the final determination hearing shall be held as soon as possible, but not more than 21 calendar days and no sooner than five days after receipt of the request from the owner.
 - (2) If the animal classification committee finds sufficient cause to classify the animal dangerous or aggressive the classification committee shall determine the classification and disposition of the animal based upon the guidelines adopted by the board.
 - (3) In hearings before the animal classification committee, formal rules of evidence shall not apply, but fundamental due process shall be observed and govern the proceedings. The classification committee shall decide the issues based upon the preponderance of the evidence, and its decision shall be final.
 - (4) Where a disposition of permanent confinement has been determined by the animal classification committee, the committee shall reserve jurisdiction to alter the disposition should the classified animal, subsequent to the determination by the committee, bite, wound, attack or kill or assist in biting, wounding, attacking, or killing a person or domestic animal. Thereafter, the director of animal control shall notify the animal's owner and the petitioner in writing by registered mail or certified hand delivery of the findings of the investigation, the proposed disposition of the animal and the review process.
 - (5) If the animal classification committee finds that animal is not dangerous or aggressive as defined in this chapter, the animal shall be released to the custody of the owner or keeper. In such case, the county shall reimburse the owner or keeper for costs of impoundment or of otherwise harboring the animal. The amount reimbursed shall be limited to the lesser of the cost of boarding at the county's animal control facility or the actual cost incurred at a private facility or at the owner's residence, and shall be calculated from the date that the initial determination was rendered by the animal control director until the date that the classification committee decision is rendered.
- (h) Request for continuance. If the owner, or petitioner cannot appear at any hearing scheduled by the animal classification committee, he or she shall contact the division of animal control no later than 48 hours prior to the hearing, requesting a continuance to the next available date.
- (i) Waiver. If the owner, keeper or petitioner fails to appear at the rescheduled classification hearing, the owner, keeper or petitioner of such animal shall be deemed to have waived his or her right to appear at such hearing. In such case, the division of animal control shall proceed with the hearing and shall notify the owner, keeper or petitioner in writing of the findings of the committee.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11; Ord. No. 12-04, § I, 2-14-12; Ord. No. 12-10, § 5, 7-10-12)

Sec. 4-94. - Owner's right to contest final determination in the county court.

- (a) If the owner or keeper of an animal classified as dangerous or aggressive disputes the final disposition order of the animal classification committee, he or she may file a complaint seeking relief in the county court, within ten business days following the date of receipt of the animal classification committee's final disposition.

(b)

The complaint shall be served upon the Chairman of the Leon County Board of County Commissioners in accordance with F.S. ch. 48. A copy of the complaint seeking relief shall be served upon the county attorney's office.

- (c) The complaint shall comply with the standards and requirements set forth in the Florida Rules of Civil Procedures for bringing causes of actions.
- (d) Burden of persuasion. A complaint to contest the final disposition order of the animal classification committee shall be held by trial de novo in the county court. The party bringing the complaint shall have the initial burden of going forward with the evidence at trial.
- (e) If the owner or keeper of the animal is unable to or fails to or refuses to confine the animal in a securely enclosed area, complying with section 4-100, until the conclusion of the judicial proceeding, the animal classified as dangerous or aggressive shall be impounded by the division of animal control at the owner's expense pending the disposition of the hearing in accordance with the rules and regulations established by the board.
- (f) If no legal action has been served upon the county within the time period specified above, or if the owner or keeper fails to appear at the judicial proceeding scheduled pursuant to the foregoing subpart, the owner or keeper of such animal shall be deemed to have waived his or her right to protest such classification or order to permanently confine or to destroy the animal. In such case, the division of animal control shall proceed with the disposition of the animal.
- (g) If the county court finds that the animal is not dangerous or aggressive as defined in this chapter, the animal shall be released to the custody of the owner or keeper. In such case, the county shall be liable for costs of impoundment of the animal from the date of service of the owner or keeper's legal action of the county until the date of the county court's finding denying the classification. The amount reimbursed shall be limited to the lesser of the cost of boarding at the county's animal control facility or the actual cost incurred at a private facility or at the owner's residence, and shall be calculated from the date that the initial determination was rendered by the animal control director until the date that the classification committee decision is rendered.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 12-04, § 1, 2-14-12; Ord. No. 12-10, § 6, 7-10-12)

Editor's note— Section 6 of Ord. No. 12-10, adopted July 10, 2012, changed the title of § 4-94 from Same —Owner's right to contest final determination in the county court" to "Owner's right to contest final determination in the county court.

Sec. 4-95. - Citation.

An animal control officer shall issue a citation to any owner or keeper of a dangerous or aggressive animal found in violation of any of the provisions of this article. In addition to the issuance of a citation, an animal control officer may impound the animal when it is found in violation of any of the provisions of this article.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-96. - Impoundment; permit and tag required for dangerous or aggressive animals.

- (a) An animal control officer shall impound any animal which, subsequent to its classification as a dangerous or aggressive animal, bites, wounds, attacks, causes severe injury or kills, or assists in biting, wounding, attacking, causing severe injury, or killing, any person or domestic animal. Such animal shall remain impounded pending a rehearing on the determination of the disposition of the

animal by the classification committee pursuant to section 4-93. If the owner elects to contest the committee's disposition to the county court under section 4-94, section 4-94(e) will not apply. The impoundment and care of the animal shall be at the owner's expense.

- (b) The owner or keeper of a dangerous or aggressive animal shall, within 14 days of the classification of the animal as dangerous or aggressive, upon a court's upholding of the classification or upon the acquisition of such an animal, obtain a permit from the division of animal control to harbor the animal. No permit shall be issued until sections 4-100, 4-101, 4-102, 4-103, and subsection (g) below have been completed. The fee for the permit shall be \$100.00.
- (c) At the time the permit is issued, a red circular tag shall be issued to the owner or keeper of the dangerous or aggressive animal. Such tag shall be worn at all times by the animal to clearly and easily identify it as a dangerous or aggressive animal.
- (d) The permit for maintaining a dangerous or aggressive animal shall be presented to any animal control officer or to any law enforcement officer upon demand.
- (e) The permit shall be valid for a period of one year from the date of classification.
- (f) An animal control officer shall impound any animal that has not been declared dangerous or aggressive under this section that aggressively attacks and causes severe injury to or death of any human. Such animal shall remain impounded pending a hearing on the determination and of the disposition of the animal by the classification committee pursuant to sections 4-93 and 4-94. The impoundment and care of the animal shall be at the owner's expense.
- (g) The owner or keeper of a dangerous animal shall present to the county proof that he or she has procured liability insurance or surety bond in the amount of not less than \$100,000.00, covering any damage or injury which may be caused by such dangerous animal. Such insurance policy shall contain a provision requiring that the county be notified immediately by the agent issuing the policy in the event that the insurance policy is canceled, terminated or expires. Liability insurance or surety bond shall be obtained prior to the issuing of a permit to keep such dangerous animal. The owner or keeper shall sign a statement attesting that he or she shall maintain and not voluntarily cancel the liability insurance policy during the 12-month period for which a permit is sought, unless he or she ceases to own or keep the dangerous animal prior to the expiration date of the permit period.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-97. - Notification of change of status.

- (a) The owner or keeper of a dangerous or aggressive animal shall notify the division of animal control immediately if the animal escapes from its enclosure or restraint and is at large, or if it bites or attacks a person or domestic animal, or if it dies. If the animal dies, satisfactory proof of such death must be provided to the division of animal control within 24 hours. Satisfactory proof shall be either verification from an animal shelter or veterinary hospital that the animal was euthanized, or verification from an animal control officer that he or she has seen the dead body of the animal.
- (b) If the owner or keeper of a dangerous or aggressive animal intends to change his or her address, or sell, give away, or trade any dangerous or aggressive animal, he or she shall notify the division of animal control prior to such change of address, sale, transfer, or trade. The owner or keeper shall provide the division of animal control with the new name, address, and phone number of the person receiving the animal, as well as the location at which the animal will be maintained. Further, it shall be the responsibility of the owner to notify the person receiving the dangerous or aggressive animal in writing of the classification of the animal as dangerous or aggressive.

(c)

Any person receiving an animal classified as dangerous or aggressive must obtain the required permit, tag, and enclosure prior to the acquisition of the animal. Any person obtaining or re-locating an animal classified as dangerous or aggressive shall comply fully with the provisions of this article pertaining to the maintenance, fee, control, and ownership of a dangerous or aggressive animal. (Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-98. - Neutering.

Any animal classified as dangerous or aggressive shall not be used for breeding. Animals classified as dangerous or aggressive shall be neutered by a licensed veterinarian within 14 days of final classification unless:

- (1) A licensed veterinarian certifies in writing that the animal is incapable of reproduction; or
- (2) A licensed veterinarian certifies in writing that neutering the animal would be injurious to the animal's health, provided, however, that if the health condition of the animal is of a temporary nature, then the animal shall be neutered immediately after the health condition has been corrected.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-99. - Permanent identification.

- (a) Any animal classified as dangerous or aggressive shall have a permanent identification by either a tattoo or electronic implant.
- (b) Tattoo. Any animal classified as dangerous or aggressive that is tattooed, the tattoo shall be administered by a licensed veterinarian or by a trained tattooist at the expense of the owner or keeper of such animal. The tattoo shall be placed on the inside rear thigh with a number corresponding to the number of the permit issued to the owner or keeper at the time of the animal's classification as dangerous or aggressive. The tattoo shall be placed on the animal within 14 days of final classification.
- (c) Microchip. Any animal classified as dangerous or aggressive shall have a microchip implanted by, or under the supervision of, a licensed veterinarian at the expense of the owner or keeper of such animal. The microchip shall be implanted in the animal within 14 days of final classification. Microchips implanted in animals designated as dangerous shall be properly registered with a company or organization recognized by animal control as a legitimate pet data tracking service. Registration shall be at the owner's expense.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Editor's note— Ord. No. 11-21, § I, adopted Aug. 23, 2011, changed the title of § 4-99 from "Tattoo" to "Permanent identification."

Sec. 4-100. - Enclosure required.

- (a) All dangerous or aggressive animals that are not humanely destroyed shall be confined in an enclosure. As used in this section, "enclosure" shall mean either the residence or other building owned or leased by the animal's owner, or any other secure enclosure which the division of animal control has approved as suitable for restraining the animal, for preventing it from escaping and/or entry of young children. The dangerous or aggressive animal shall not be permitted to come into contact with animals other than those which reside on the owner's premises. Dangerous animals shall not come into contact with persons other than the owner(s) except as provided in section 4-102.

- (b) Outdoors enclosure. All dangerous or aggressive animals shall be securely confined in an enclosed and locked pen or kennel, except when leashed and muzzled as provided in section 4-102. Such pen, kennel or structure shall be at least 10' × 10' in size, must have a solid foundation, sides attached to the foundation and a secure top attached to the sides to prevent the dog from escaping over, under or through the structure. All structures used to confine dangerous or aggressive animals must be locked with a key or combination lock when such animal is within the structure. Such structure must not be positioned so that neighbors and passers-by may have access to the animal and must be located no less than 20 feet from any adjoining property.
- (c) Indoors enclosure. No dangerous or aggressive animal may be kept on a porch, patio or in any portion of a house or structure that would allow the animal to exit such building on its own volition. In addition:
- (1) No such animal may be kept in a house or structure when screen doors or windows are the only obstacles preventing the animal from exiting the structure.
 - (2) Doors behind which a dangerous or aggressive animal is confined must be strong enough to contain the animal and must remain locked except to allow access and egress of the owner and their agents.
- (d) It shall be unlawful for any owner or keeper of a dangerous or aggressive animal to maintain said animal upon any premises which does not have an enclosure in which to confine the animal.
- (e) The enclosure shall include suitable shelter and protection from the elements, and shall provide adequate exercise room, light, ventilation, and sanitation.
- (f) The enclosure shall be approved by the division of animal control prior to its usage for confinement.
- (Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-101. - Muzzle.

It shall be unlawful for any owner or keeper to allow any dangerous or aggressive animal to be outside of the enclosure unless it is necessary for the animal to receive veterinary care or exercise. The animal shall wear a properly fitted muzzle to prevent it from biting humans or other animals. Such muzzle shall not interfere with the animal's breathing.

However, it shall be lawful for an owner to exercise a dangerous or aggressive animal within a securely fenced or enclosed area that does not have a top, without a muzzle, if the animal remains within the owner's sight and only members of his or her immediate household, or persons 18 years of age or older, are allowed in the enclosure when the animal is present.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-102. - Restraint.

Whenever the dangerous or aggressive animal is outside of the enclosure, it shall be restrained by an adult capable of controlling the animal and shall be on a chain of sufficient tensile strength not more than four feet in length.

However, it shall be lawful for an owner to exercise a dangerous or aggressive animal within a securely fenced or enclosed area that does not have a top, without a leash, if the animal remains within the owner's sight and only members of his or her immediate household, or persons 18 years of age or older, are allowed in the enclosure when the animal is present. When being transported, such animals must be safely and securely restrained within a vehicle.

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-103. - Signs.

The owner or keeper of a dangerous or aggressive animal shall display clearly visible warning signs on all entry points to the premises on which a dangerous or aggressive animal is maintained warning that a dangerous or aggressive animal is being harbored on such property. In addition, at least one sign shall be posted on the enclosure in which the dangerous or aggressive animal is maintained. Signs must inform both children and adults of the presence of a dangerous or aggressive animal on the property.

(Ord. No. 05-02, § 1, 1-25-05; Ord. No. 11-21, § I, 8-23-11)

Sec. 4-104. - Public records exemption.

Pursuant to state law, the home addresses and home telephone numbers of county animal control officers are confidential and exempt from the provisions of F.S. § 119.07(1) and the Florida Constitution, Article I, Section 24(a).

(Ord. No. 05-02, § 1, 1-25-05)

Sec. 4-105. - Retroactivity.

All appeals of determinations of classification and/or disposition on or after October 1, 1993, shall be subject to sections 4-93 and 4-94.

(Ord. No. 05-02, § 1, 1-25-05)

Secs. 4-106—4-200. - Reserved.

4.01

Board of County Commissioners Leon County, Florida

Policy No. 05 - 8

Title: Leon County Division of Animal Control Policies and Procedures Manual

Date Adopted: November 8, 2005

Effective Date: November 8, 2005

Reference: Chapter 4, Leon County Code of Laws, Chapter 767, Florida Statutes,
Chapter 828, Florida Statutes

Policy Superseded: Leon County Division of Animal Control Policies and Procedures Manual
adopted March 25, 2003; Leon County Division of Animal Control
Policies and Procedures Manual adopted January 12, 1993

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that the Leon County Division of Animal Control Policies and Procedures Manual adopted on March 25, 2003, is superseded, and an amended policy is hereby adopted, to wit:

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Section I. Animal Relinquishment:

1. Owners who call Division of Animal Control wishing to relinquish custody of their animals should be encouraged to deliver them to the animal shelter themselves.
2. Owners unable to deliver their animals to the shelter may release custody of the animal to the Division of Animal Control by signing an Owner's Release Form. The form shall be signed and given to the officer at the time of release, after the animal is secured on the truck. The animal must be current on its rabies vaccination or the owner is subject to civil citation pursuant to Leon County Code of Laws Chapter 4-76.
3. Animal Control Officers will not pick up any owner-released animal without obtaining the completed and signed Owner's Release Form in person. Officers will not accept Owner Release Forms for animals which are not being surrendered at the time the Owner's Release Form is signed.
4. A copy of the Owner's Release Form will be attached to the Impoundment Ticket at the time the animal is delivered to the animal shelter by the officer. The original copy will be attached to the Service Request for submittal with the officer's Daily Truck Log.
5. Owners should be advised that upon its release the animal becomes the property of Leon County. When such an animal is delivered to the animal shelter, the shelter has the option of placing the animal for adoption or euthanizing it. No promises, predictions, or time frame regarding the animal's fate will be made by Division of Animal Control staff. If an owner changes his or her mind after the animal has been delivered to the animal shelter, arrangements must be made with the shelter staff for the animal's possible return to the owner. The owner is responsible for any expenses associated with boarding and care of the animal. Division of Animal Control staff will not attempt to mediate in such incidents.
6. If the animal being relinquished by the owner is a bite animal, and the quarantine period for the animal has not elapsed, the animal, may be euthanized pursuant to Leon County Code of Laws. Its brain will be sent to a State laboratory for rabies testing. The Animal Control Director may elect to have the animal complete the quarantine period if the animal is adoptable. Animal Control Officers will follow County portions of the quarantine housing and handling policy and procedures established by the City Animal Service Center on all bite animals.
7. Owners signing Owner Release Forms who specify that they want the animal destroyed will have their wishes taken into consideration for good cause (For example, but not limited to: sick, injured, aggressive, etc.). If the owner appears to want the animal killed for no legitimate reason, Animal Control Officers should advise the owner that we will take the animal, but that upon relinquishing an animal it becomes the County's property, and the County will dispose of the animal as it sees fit.
8. There is no monetary charge to owners who relinquish their animals.

Section II. Bite Investigations:

1. Dogs, cats and ferrets which bite or otherwise expose humans to the possible transmission of rabies shall be quarantined for a period of not less than ten (10) consecutive days from the date of the bite incident. It is considered an animal bite or exposure according to the State definition of exposure by Florida Administrative Code (FAC), Chapter 64D-3.
2. The location and conditions of examination or quarantine of animals which have been bitten or otherwise exposed a person to rabies shall be established by the County Health Officer.
3. All bite investigations will be conducted using the Bite Investigation Report.
4. The Bite Investigation Report will be completed in its entirety to the best of the staff's knowledge. Every effort will be made to obtain all of the information contained within the report.
5. The procedures for the investigation of animal bites inflicted by animals other than dogs, ferrets or cats shall be followed in accordance with the provisions set forth in Florida Administrative Code (FAC), Chapter 64 D-3 and in the current "Rabies Prevention and Control of Florida", produced by the Florida Bureau of Epidemiology, Florida Department of Health and Florida Rabies Prevention Advisory Committee. If the bite is to a domestic animal by wildlife, the domestic animal will be listed the bite victim.
6. Animal bites are a Priority One Complaint, necessitating immediate response from Animal Control, according to division dispatch policy described in the internal procedures. If victims and/or owners are not available for contact at the time the bite is reported, staff will communicate clearly in the Bite Investigation Report, and verbally to the dispatcher, that such is the case, so that the Bite Investigation Report can be dispatched to the next available officer.
7. Location of quarantine:
 - a. Home: Proof of vaccination must be produced by the owner.

Quarantine is the isolation of an animal as defined in the current Rabies Prevention and Control manual, Chapter 3. Home Quarantine is a privilege, not a right to a pet owner. As such, the officer shall have full discretion of allowing home quarantine, provided crucial criteria are met; such as, but not limited to, ability to totally isolate bite animal, secure enclosure for animal, and no prior history with Animal Control for running at large. A Home Quarantine Agreement must be signed by the owner before a home quarantine can be done. All spaces on the Agreement must be completed. The owner and the officer must sign the Agreement.

Such vaccination proof must be either verification from a licensed veterinarian or the presence of a current rabies vaccination certificate stating the date of vaccination and expiration date of the vaccine. A rabies tag is not suitable proof, since it is possible to have a tag corresponding to current year even if the vaccination has expired.

Each contact shall be noted on the Bite Investigation Report, starting with the officer initiating the report, up to the release date.

After quarantine of the animal is completed, the investigating officer must conduct a follow-up visit to verify the health of the animal before the animal is released from quarantine.

The victim is to be notified by Animal Control staff, by way of telephone or written notice of the animal's condition at the end of quarantine.

b. Veterinary clinic:

If the owner chooses to have the animal quarantined at a licensed or registered veterinary clinic, the owner may transport the animal from its home to the veterinarian of his or her choice, with the approval of the clinic. The investigating officer or the dispatcher will contact the veterinary clinic to verify that the animal was properly transported.

At the end of the quarantine period, the animal may be released to the owner by contacting the clinic to verify the animal's health. A notation by Animal Control staff shall be indicated on the Bite Investigation Report identifying who was contacted and whether the veterinarian considers the animal to be in good health.

In cases in which the owner wishes to have the animal quarantined at a veterinary clinic but is unable to transport the animal, an officer may do so. If the animal has already been quarantined at the animal shelter, an officer may transport the animal to a veterinary clinic of the owner's choosing. All financial matters related to boarding at the shelter must be resolved prior to transport. Such transport shall be at the convenience of the division, and shall be conducted during normal business working hours.

The victim is to be notified by Animal Control staff, by way of telephone or written notice, of the animal's condition at the end of quarantine.

c. Quarantine at the Animal Shelter:

Quarantines of bite animals will be conducted at the animal shelter, unless otherwise directed by the County Health Officer. Impoundment Tickets shall be completed by the impounding officer for each animal quarantined, writing "BITE" across the face of the Impoundment Ticket. Animal Control Officers will follow County portions of the quarantine housing and handling policy and procedures established by the City Animal Service Center on all bite animals. If

the bite animal is current on rabies vaccination but still housed at the shelter, note the reason in DAC's computer as to reason. Bite animals quarantined at the shelter will be placed in the appropriate quarantine/isolation cages designated by the shelter for that purpose.

In cases in which there is an owner, and the owner wishes to have the animal quarantined at the animal shelter but is unable to transport the animal, an officer may do so. If the animal has already been quarantined at the veterinarian clinic, an officer may transport the animal to the animal shelter. All financial matters dealing with boarding cost must be resolved prior to transport. Such transport shall be at the convenience of the division, and conducted during normal business working hours.

Before the release of any animal from quarantine, an officer must examine the animal at the shelter, noting the apparent health status of the animal for the Bite Investigation Report. Confirmation of animal health by shelter staff may be acceptable. After such release, the shelter staff will be advised by Animal Control so that disposition of the animal can be made.

The victim is to be notified by Animal Control staff, by way of telephone or written notice, of the animal's condition at the end of quarantine.

8. Unless medical personnel verify that an animal bite has occurred, an officer may view the bite wound within 24 hours of the incident to verify the presence of a break in the skin. If the victim does not want to show the wound to an officer of the opposite sex due to the location of the wound, an officer of the same sex should view the bite or scratch. Parents or guardians must always be present when obtaining information from minors or when viewing wounds inflicted on minors.
9. The Director of Animal Control shall be notified immediately by telephone in the event of serious bites, mauling, etc. (involving surgery), or when a bite animal is not located within twenty-four (24) hours of the incident.
10. Bite animals whose owners sign an Owner Release Form may be euthanized and decapitated in order to test the animal's brain. The Animal Control Director may elect to have the animal complete the quarantine period on a case-by-case basis. Testing of the animal's brain shall be conducted at a State Laboratory. When an animal's head is submitted by the division to the State Laboratory, a Health and Rehabilitation Service (HRS) Form 959, Rabies Test Form, shall be completed in its entirety for submittal with the animal's head. Staff shall telephone the State Laboratory each time there is a specimen to be shipped.
11. When the results of the rabies tests are received from the State Laboratory, a copy of the Rabies Test Form shall be attached to the front of the Bite Investigation Report.
12. Upon receipt of the State Laboratory results, the victim shall be contacted by telephone,

or by mail or notice at the residence if the telephone method fails.

13. In the event that a rabies test is returned as “positive” for rabies, the Director of Animal Control will be notified immediately by staff. The Director or designee shall notify the victim immediately as well as notifying the Health Unit Administrator or the County Health Officer. The victim will be advised to contact his or her physician immediately for further treatment. In the event the victim is the pet of the reporting party, the quarantine or euthanasia of the victim’s pet shall be conducted in accordance with Chapter 64D-3, Florida Administrative Code.
14. Pursuant to Section 767.16, F.S. dogs used by law enforcement officers in the performance of their job duties, and dogs specially trained and used for seeing eye, hearing ear or service dogs for the handicapped, are exempt from any quarantine requirement following a bite if the dog has a current rabies vaccination that was administered by a licensed veterinarian. If not currently vaccinated for rabies, the dog shall be quarantined.

Section III. Citations:

Pursuant to section 4-29, Leon County Code of Laws, an Animal Control Officer is authorized to issue a citation based upon reasonable and probable cause that a violation has occurred. The following procedures shall be adhered to by the officer in the issuance of citations to citizens for animal control violations.

1. Citations are not to be issued to neighbors or friends of the animal owner when the owner is at work or not immediately available, except in cases in which someone designated by the owner as having control, custody and care of the animal while the owner is unavailable and is therefore responsible for the animal.
2. Once a citation has been signed by the defendant, no changes will be made to the citations, unless the defendant’s copy is changed in the presence of the defendant and both the officer and the defendant initial the change. If changes must be made, do so at court before the judge.
3. After a citation has been issued, the citation will be logged in the computer by the issuing officer; a Citation Incident Report and Final Disposition Card will be completed and attached to the citation. The citation will be notarized, and the complete package will be forwarded to the Clerk of Court, for record keeping.

4. If an animal is impounded on the first violation for running at large, the decision to issue a citation is discretionary and based upon D AC policy and/or incident situation. However, the impoundment fee shall be borne by the animal owner. Citations for first violations may be given in the field; the intent is to refrain from charging both an impoundment fee and a citation for a first violation. However, violations listed under paragraph 7 of this section (below) will result in a citation whether or not the violation is a first offense.
5. Information regarding the violation should be entered under the ‘memo’ screen on the computer at the animal shelter when the animal is impounded. This will provide the issuing officer necessary information to complete a citation when one is to be issued upon redemption of the animal by its owner.
6. The Animal Control Officer who observed the violation shall sign the citation in the presence of a notary. The issuing officer will sign the citation at the time it is issued to the defendant.
7. Citations are mandatory in the following instances:
 - a. When unvaccinated bite animals are quarantined and/or the owner has a history of owning unvaccinated animals. The only exceptions are animals which are too young for vaccination or a licensed veterinarian has stated, in writing, that the animal cannot be vaccinated for health reason.
 - b. When an animal classified as “Dangerous or Aggressive” by the Classification Committee is in violation of any provision of the Animal Control Ordinance.
 - c. Violations of sections 4-37, 4-38, or 4-39 of the Ordinance, in which the animal has been abandoned and the owner can be located, or when the animal has been placed in physical danger or distress due to deliberate acts on the part the owner. If there is an opportunity to educate the owner, a courtesy notice may be issued in lieu of a citation. The courtesy notice shall direct the animal owner to correct the problem within a specified time frame. If the problem is not corrected within the specified time frame given to the owner, or repeat offenses occur, a citation shall be issued to the owner.
 - d. Violations in which property damage and/or physical injury to a person or domestic animal results while the animal is in violation of the Animal Control Ordinance. Animal Control also requires a written Affidavit of Complaint form to be completed by the victim.
8. Depending on the nature of the violation, citations may be held in the office a minimum of three (3) working days. This provides generally responsible owners time to comply with directives from the division regarding animal care, vaccination requirements, etc.

For instance:

- 1) For owners who have recently re-located to Leon County, a citation may be given to an owner requiring the owner to acknowledge that the situation will be corrected within twenty-four (24) hours. If the problem has been timely corrected, the citation will be voided. If not, the citation will be processed in the usual manner.
 - 2) For cases where officers, allow the owner additional time to make corrections as requested. This agreed upon time will be in writing on a courtesy notice or truck log.
9. Animal Control Officers are not required to meet quotas for issuing a certain number of citations. The purpose of citations is to address owner irresponsibility. It is anticipated that officers will use the Citation System as a tool in the performance of their duties and that officers will view the issuance of citations as a long-range method of obtaining compliance by owners who are violators.
 10. Citations books shall be issued to Animal Control Officers as needed. Citations which are incorrect, voided, or otherwise not issued, shall not be thrown away. Because they are sequentially numbered, DAC must account for citations. Therefore, the officer shall submit all citations to the Dispatcher who shall file the citations in the appropriate place.
 11. An owner or person having control, custody and care of an animal receiving a second citation will be notified verbally in person, and shown the relevant information contained within the citation, that a conviction of a second or subsequent violation of sections 4-35 through 4-39 by the owner or keeper will require confinement of the animal(s) in a manner approved by Animal Control (Leon County Code of Laws, Section 4-29{a}).
 12. An owner or person having control, custody and care of an animal receiving a citation shall contact the Leon County Clerk of Court, Traffic Division, for any extension of time to pay citation or to contest citation.

Section IV. Confidentiality:

1. As an employee in the Animal Control Division, staff will hear of and/or observe situations that are of a private matter. In no case, is staff to discuss those situations with anyone other than authorized personnel.

2. When providing services to the public, information concerning the source of the complaint is not to be discussed in the field or over the telephone, except with authorized persons. Citizens wishing to know who lodged a complaint should be instructed to come into the office, and view or obtain a copy of the record at that time. Citizens may view all division records under Chapter 119, F.S. Citizens may file a public record request in writing through the division. The Director shall forward public record requests to the Leon County Attorney Office for review. Personnel matters will be forward to Leon County Human Resources.
3. Citizens viewing records in the division may only do so with a division employee present. No originals are to be given to anyone!
4. Citizens wishing a copy of available division records may obtain a copy at the prevailing rate as established by Chapter 119, F.S. and County Policy 97-4, "Photocopying Fees".
5. If the complainant remained anonymous, office or field staff may advise the citizen of that fact when they request information about the Service Request. If the complainant was anonymous, advising the citizen of such will save them unnecessary travel to ascertain the complainant's name.

Section V. Courtesy Notices:

1. A Courtesy Notice advises a citizen as to any action that was taken in response to a service call. Courtesy Notices are to be left at the citizen's house when officers unsuccessfully attempt to make personal contact with citizens. The Courtesy Notice shall be completed thoroughly, including the name and address of the person the notice is addressed to, if known. If the person receiving the Courtesy Notice is not at home, the notice shall be left on the door or other conspicuous place.
2. Courtesy Notices are not to be placed inside mailboxes or inside paper boxes.
3. Courtesy Notices left for the complainant shall include marking the appropriate boxes to indicate what actions have been taken and shall include any remarks necessary to communicate to the complainant results of the officer's visit.
4. Courtesy Notices left for the animal's owner shall include making the appropriate boxes to indicate any violation observed, steps to be taken to correct the problem(s), and any remarks necessary to explain the situation.
5. Courtesy Notices will also be given to owners whose animals were complained against, but which were not observed in violation at the time of the officer's visit. In most other cases, if the officer has probable cause to believe that a violation has occurred, the officer may issue a citation in lieu of posting or delivering a Courtesy Notice to the owner.

6. The white copy of the Courtesy Notices will be stapled to the officer's Daily Truck Log and submitted at the end of the shift. The blue copy should be given to the animal owner or complainant.
7. All owner contacts will be documented with a Courtesy Notice or citation, so that officers conducting subsequent visits will have access to information concerning prior incidents. No exceptions!

Section VI. Cruelty Investigations:

1. Animal cruelty calls are a Priority One Complaint, necessitating immediate response from Animal Control, according to division dispatch policy described in the internal procedures.
2. Animal cruelty incidents that are determined valid, but minor in nature, shall be documented in the Field Results at a minimum. Valid complaints that are serious in nature, require immediate corrective action from the pet owner, or requires a follow-up visit from the ACO, shall be documented with an Incident Report as well as in the Field Results.
3. An initial incident report shall be turned in to the Director within 24 hours after the investigation of the complaint. Follow-up reports shall be turned in to the Director on a daily basis or as worked.
4. The Director or designee shall be informed immediately on all incidents involving the removal of an animal from the owner's property or possession.
5. When investigating the case, the ACO shall document all action taken, evidence collected, photos taken, and witnesses contacted. Photos should be taken when ever possible. If during the investigation the ACO makes a determination that the complaint will proceed to a criminal investigation, then the Sheriff Office should be contacted immediately.
6. Animal Control Officer may take action to rescue an animal found in violation of Leon County Ordinance Section 4-38(b), Animal in motor vehicle. ACO handling an incident involving an animal inside a motor vehicle shall follow the following guidelines:
 - a. Upon arrival, survey the situation to determine the urgency of the call.
 - b. If the animal is not showing immediate signs of distress (including but not limited to, barking, howling, jumping around, alert and attentive, etc.), then:
 - Attempt to locate the owner of the vehicle/animal;
 - Check the area, surroundings stores and parking lot;
 - Gather caller/witnesses/pedestrians names, address, phone numbers, and statements;
 - Contact the Leon County Sheriff Office for assistance.

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- c. If the animal is showing signs of distress or heat stress (including but not limited to, heavy panting, glazed eyes, unsteadiness, no movement, shallow breathing, non-responsive, or vomiting), immediate action shall be taken:
 - If the vehicle owner is not available to open the vehicle, check the doors to see if unlocked to gain entry;
 - If locked, check other entry options;
 - If unable to unlock the door, the ACO may use minimum force necessary to rescue the animal;
 - In the case where damage to a vehicle is possible, law enforcement should be present to document action taken;
 - If law enforcement is not available or unable to respond in a timely manner, seek out a citizen/witness, explain the situation, gather their name and information, and then take necessary action;
 - If possible, contact the Director prior to damaging the vehicle;
 - If the vehicle is damaged, have law enforcement or another animal control officer stand-by until the owner arrives or vehicle is secured.
 - d. Once the animal is removed from the vehicle, administer animal first aid and determine whether to transport to the nearest veterinarian clinic/hospital for treatment. If transported, have the veterinarian complete an Animal Cruelty Investigation Report.
7. Any cruelty complaint that involves an Animal Control Division employee shall be reported to and handled by the Director.
 8. Tethering:
 - a. Animals found to be tethered (as defined in Leon County Section 4-26 Definitions) will be handled in accordance to Section 4-37 Humane Care.
 - b. Upon arrival, the ACO will survey the situation to determine the urgency of the call. Document the violation. Check to see if the tether extends beyond the property of the pet owner.
 - c. If the animal is not showing immediate signs of distress (including but not limited to, barking, howling, jumping around, alert and attentive, etc.), then:
 - Attempt to locate the owner of the animal;
 - Check the area;
 - If tether is tangled, straighten it out;
 - Check the collar for a proper fit and comfort;
 - Make sure the tether's length is in accordance to the ordinance;
 - Contact the Leon County Sheriff Office for assistance if necessary.

- d. If the animal is showing signs of distress (including but not limited to, heavy panting, glazed eyes, unsteadiness, no movement, shallow breathing, non-responsive, or vomiting), immediate action shall be taken:
 - If the owner is not available, remove the animal from the situation;
 - In the case where damage is possible, law enforcement should be present to document action taken;
 - If law enforcement is not available or unable to respond in a timely manner; seek out a citizen/witness, explain the situation, gather their name and information, and then take necessary action;
 - If possible, contact the Director prior to any damage.
- e. Once the animal is removed, administer animal first aid and determine whether to transport to the nearest veterinarian clinic/hospital for treatment. If transported, have the veterinarian complete an Animal Cruelty Investigation Report.
- f. If the animal is confined to a vacant or abandoned structure, a 24-hour notice shall be posted advising the pet owner to remove the animal. If the animal is still present after 24 hours, then the animal should be taken into custody (in accordance with Section 4-33 Right of Entry) and a second notice, with the animal's new location, shall be posted.

Section VII. Dangerous or Aggressive Animals:

Aggressive or dangerous animal calls are a Priority One Complaint, necessitating immediate response from Animal Control, according to division dispatch policy described in the internal procedures.

1. In order to classify an animal dangerous or aggressive, any adult or division personnel shall request, under oath, that an animal be classified as dangerous or aggressive.

Upon receiving a sworn "Petition to Classify an Animal as Dangerous or Aggressive", the division shall notify the owner of the animal in writing by hand delivery. If unable to hand deliver, alternative notification maybe by telephone, certified mail, in person, or by posting the owner's residence or place of business, if other methods fail to get a response. The owner shall be provided a copy of the petition and county ordinance. The notification letter shall indicate to the owner that the case will be reviewed by the Director of Animal Control or designee after the investigation. The owner has a right to respond to the complaint. The notification letter shall also notify the owner that ~~no~~ an animal that is a the subject of a dangerous or aggressive animal investigation may not be re-located or ownership transferred pending the outcome of an investigation or any hearing related to the determination of a dangerous or aggressive animal classification [Section 4-93 (b)], unless animal is released to the County.

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2. The Administrative Assistant enters the date and time the Petition is received on the bottom section of the Petition and starts a case folder. The case folder will contain a Progress Sheet, the Petition, the Petitioner's narrative and the Defendant's narrative (if available), a copy of the bite report (if applicable) and all applicable paperwork and documentation. The officer assigned to the case is the "Primary" Officer; in his or her absence a "Secondary" Officer will handle the case. The Primary Officer begins the investigation and should complete the investigation within seven (7) working days.
3. After completion of the investigation, the Primary Officer shall forward the file to the Director containing the original reports. Originals of any paperwork associated with the case will not be sent into the field. Copies of all reports will be made and placed in the files assigned to officers.

The Administrative Assistant will label files as follows:

Pet Owner's Name	Case #
Pet Owner's Address	Date
Petitioner's Name	

If available, include the following documents in the file:

- a. Animal medical/veterinary records.
 - b. Victim medical records
 - c. Statement(s) from witness(es).
 - d. Statement(s) from neighbor(s) who have familiarity with the animal or incidents preceding the sworn affidavit.
 - e. Division of Animal Control Files: Records of citations, impoundments, previous bites or aggression, previous classification.
 - f. Tallahassee Animal Service Center records.
 - g. Photos.
4. Officers are responsible for returning investigative files to the office each day, so that an updated file is always available in the office for dispatching to the Secondary Officer and for informational purposes.
 5. Upon completion of the field investigation, the Administrative Assistant makes a complete copy of the case file to be forwarded to the Director of Animal Control, or his designee, for preliminary review.
 - a. The Director, or designee, reviews the file for completeness, accuracy, etc.
 - b. The Director or his designee determine whether or not the animal falls under the definition of "Dangerous or Aggressive Animal", as set forth in Chapter 4, Section 4-26 and 4-92, Leon County Code of Laws.
 - c. The Director or his designee initially determines the classification of the animal based on the information provided.

- d. The Director or his designee will then decide the disposition based on the classification as provided in the criteria in paragraph 14 in this section within 72 hours of receipt of the file.
6. The Owner is notified of the Director's decision in writing as required by County Ordinance Section 4-93(c). The animal Initially Determined to be Dangerous/Aggressive shall be impounded by the County at the owner's expense, housed at the Animal Service Center, a veterinarian clinic or approved boarding kennel, pending the disposition of the hearing and/or compliance with harboring a Dangerous/Aggressive animal (Section 4-93[c]). The owner shall also be notified that in the event an animal is to be humanely destroyed, the animal shall not be re-located or ownership transferred prior to euthanasia (Section 4-93[b]).
7. If the Director initially determines the animal as Dangerous/Aggressive, the owner has seven (7) calendar days from receipt of notification to request in writing an appeal hearing. If no written appeal is received, then the Director's Initial Determination shall be final.
8. If the owner appeals the Initial Determination classification and/or the proposed disposition of the animal, a hearing is scheduled according to County Ordinance Section 4-93(d) affording the owner due process rights. The Administrative Assistant will make copies of the Investigative File for the Classification Committee members, the owner, and the petitioner(s).
9. The Administrative Assistant contacts the Classification Committee members to coordinate the time, place, and date to convene a hearing. One member is elected to chair the committee during the hearing. Classification hearings must be recorded on tape. Copies of the audio tape recording are available through the normal public record request process. A court stenographer may also be used to record the hearing. The Director of Animal Control, or his designee, will facilitate the hearing. Adequate public notice of the hearing shall be posted.
 - a. The Classification Committee reviews the investigative file and listens to sworn testimony and statements from those present at the hearing.
 - b. After considering the evidence, the Committee members deliberate to determine whether or not the animal falls under the definition of "Dangerous or Aggressive Animal", as set forth in Chapter 4, Section 4-26, Leon County Code of Laws.
 - c. If the Committee classifies the animal as dangerous or aggressive, members will then decide the disposition based on the classification as provided in the criteria in paragraph 14 in this section.
10. The Director notifies the owner and the petitioner in writing of the Classification Committee's findings, the animal's classification, its proposed disposition, and the next appeal rights.

11. Disposition of the animal, in accordance with Chapter 4, Section 4-91, Leon County Code of Laws, includes one of the following:
 - a. Permanent confinement for animals classified Aggressive or Dangerous which:
 - (1) Have bitten or attacked another domestic animal in a first unprovoked attack while off of the premises of the owner, with no previous attacks against people or animals, or Dangerous/Aggressive Animal Classification.
 - (2) Have bitten, attacked, or endangered people when unprovoked; chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion, or an apparent attitude of attack when unprovoked; inflicting minor injuries (no hospitalization is required; no plastic surgery is necessary; no serious punctures are inflicted; and or medical personnel classify injures as minor).
 - b. Euthanasia for an animal classified Dangerous which:
 - (1) Has bitten, attacked or endangered or has inflicted severe injury on a human being on public or private property; or has more than once severely injured or killed a domestic animal while off the owner's property; or in the case of a dog, has been used primarily or in part for the purpose of dog fighting or is a dog trained for dog fighting; or Dangerous/Aggressive Animal Classification.
 - (2) Has bitten or attacked a person, inflicting serious injuries; hospitalization required; plastic surgery necessary; serious punctures, and/or medical personnel classify injuries as major or serious; fatalities or "severe injury" as defined by Chapter 4, Section 4-26.
 - (3) Has been used, trained, harbored, or kept primarily or in part for dog fighting.
12. If the owner disputes the final Disposition order of the Classification Committee, the owner shall be informed of his/her appeal rights pursuant to County Ordinance Section 4-94. Appeals under Section 4-94 shall be handled by the County Attorney Office.
13. If the owner does not dispute the classification, the owner has fourteen business (14) days from the date of final classification to obtain a permit to harbor a Dangerous/Aggressive animal from the Division of Animal Control. A permit will only be issued according to County ordinance section 4-96(b). If no permit is obtained nor the owner heard from after fourteen (14) days, then the Division of Animal Control shall proceed with the disposition of the animal.
14. If the owner of the classified animal violates any section of County Code of Laws,

Chapter 4, Animals, the owner is subject to penalties listed in the ordinance.

Section VIII. Dead Animals:

1. Dead domestic animal disposal is the responsibility of the animal's owner. Staff will not routinely pick up dead domestic animals for owners. Exceptions may be made in extreme cases after approval of the Director.
2. Citizens requesting dead domestic animal pick up shall be referred to either the City's or the County's Road Departments or the State Highway Department, if the dead domestic animal is on the roadway or right-of-way. Removal of stray dead domestic animals on private property is the responsibility of the property's owner.
3. If an injured stray domestic animal call is received and the animal dies prior to the Animal Control Officer's arrival, the officer will pick up the animal, and take it to the animal shelter. The domestic animal will be placed in the freezer pending disposal by the shelter staff. Domestic animals found to be dead on the public right-of-way for an extended period of time may be left for the appropriate road department or property owner, depending on animal's location.
4. Dead domestic animals found with identification shall be noted as such and an effort will be made by staff to contact the owner as identified on the collar or tag. Notification can be made by phone, Courtesy Notice, or by mail.

Section IX. Enforcement Authority:

The Division of Animal Control is responsible for enforcing the local ordinance and state statutes related to animal control, rabies control and animal cruelty.

Staff is responsible for developing and maintaining proficiency in the application of such laws. Included are:

1. Chapter 4, Leon County Code of Laws.
2. Sections 585.18 and 585.19, F.S., Dogs and Cats Transported or Offered for Sale; Health Requirements.
3. Chapter 588, F.S., Legal Fences and Livestock at Large.
4. Section 705.19, F.S., Abandonment of Animals by Owner; Procedure for Handling.
5. Chapter 767, F.S., Damage by Dogs/Dangerous Dogs.
6. Section 768.13 (3), F.S., Good Samaritan Act; Immunity From Civil Liability.
7. Section 810.09, F.S., Trespass on Property Other Than Structure or Conveyance (releasing animals from traps without authority).

8. Section 823.04, F.S., Animals Suffering From Disease or Pests.
9. Section 823.041, F.S., Disposal of Bodies of Dead Animals.
10. Section 823.15, F.S., Dogs and Cats Released From Animal Shelters or Animal Control Agencies; Sterilization Requirement.
11. Chapter 828, F.S., Cruelty to Animals.
12. Florida Administrative Code, Chapter 64D-3, Rabies Control.
13. Chapter 381, F.S., Public Health.

Section X. Livestock:

1. Livestock includes grazing animals, such as cattle, horse, sheep, swine, goat, etc. (Section 588.13 F.S.) Livestock is handled by the Leon County Sheriff Office in accordance to their policy and procedure.
2. If requested to do so, Animal Control Officers may assist law enforcement personnel in the apprehension of livestock straying or running at large.
3. Any requests to DAC for assistance in handling livestock cruelty cases by law enforcement personnel should be responded to as soon as possible by the Animal Control Officer. Payment of any medical, impoundment, or other costs associated with such cases shall be the responsibility of DAC.
4. Service Requests regarding, but not limited to, chickens, peacocks, ducks, geese, turkeys, etc., will be handled by DAC as a public nuisance.
5. Service Requests exceeding the capabilities of DAC may be referred to the appropriate agency.

Section XI. Public Nuisance:

1. Animals found to be a public nuisance (as defined in Leon County Section 4-26 Definitions) will be handled in accordance to Section 4-36 Public Nuisance Prohibited.
2. A citizen calling to report a nuisance animal should identify the location, owner, and type of animal causing the nuisance. Citizen should try and document the type of nuisance.
3. Public nuisance complaints as defined under 4-26 (Definitions) will be handled in the following manner:

- a. The animal owner shall be notified of the complaint in writing and given seven calendar days to abate the situation.
 - b. Subsequent violations, after warning, shall be based on the ACO's or law enforcement's personal knowledge of the nuisance.
 - c. The subsequent violation may be based on at least two (2) affidavits of complaints from different parties residing in close proximity to the alleged nuisance. Close proximity shall mean residing within a radius or 200 feet from the resident or location of the offending animal.
 - d. Testimony or evidence from persons living outside the 200 foot radius may be considered,
 - e. One affidavit of complaint may be sufficient to warrant an investigation where there is only one party in close proximity to the alleged nuisance.
4. Animal owners found in violation of the public nuisance section of the county ordinance may be issued a citation for each violation. Citations result in a civil penalty along an escalating fine structure for subsequent violations.
 5. If a public nuisance complaint is reported after regular work hours, the caller should contact the Leon County Sheriff Office. These complaints will be handled by the LCSO in accordance to their policy and procedures.

Section XII. Sick and Injured Animals:

1. Sick and injured stray animals shall be taken to licensed veterinary clinic for treatment. Treatment should be limited to pain killers, medications to prevent infections, and first aid. The Division of Animal Control will not pay for major procedures, intensive care, routine worming, or routine vaccinations. Officers should remind clinics of this policy if such services are suggested by the veterinarian at the time of the officer's visit. If, in the professional opinion of the veterinarian, the sick or injured animal is unable to withstand the required five (5) business days holding period, commencing on the day after the impoundment day and the fifth day being the final disposition, without undue suffering or exceeding the fees described in number 2, the veterinarian may elect to euthanize the animal (Section 4-63).
2. In accordance with the Tallahassee-Leon County Animal Service Center Agreement, section 2.4, the City shall arrange medical treatment for all impounded animals as well as those animals picked up by County Animal Control Officers suffering from life-threatening illnesses or injuries. Division of Animal Control shall pay a maximum of \$35.00 for emergency medical treatment during regular hours, and a maximum of \$50.00 for after hour treatment.

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3. The impounding officer will note non-emergency injuries or conditions that do not require immediate veterinary care on both the Service Request and on the Impoundment Ticket.
4. Veterinary personnel shall be advised if any animal they are being asked to treat has a potential owner, is a biter, is intractable, or is possibly rabid.
5. Sick wildlife which is not of a species commonly recognized to be a carrier of rabies will be taken to a veterinary clinic designated by St. Francis of Assisi Wildlife Rehabilitation at their expense, or euthanized. Species commonly recognized as rabies carriers, such as raccoons, foxes, bobcats, skunks, or bats, shall be taken to the animal shelter for euthanasia.
6. The officer on duty shall contact the emergency veterinary number to locate the veterinarian on call if an animal housed at the shelter requires veterinary assistance after normal working hours. If no one is available, any 24-hour emergency veterinary clinic can be used, or another veterinarian can be contacted if he or she is closer and available.
7. Sick wildlife which may be rabid should be transported to the Animal Shelter or emergency animal clinic and euthanized. If there is human or companion animal contact, a Bite Investigation Report shall be completed by Animal Control staff, and the animal head shall be sent to a State Laboratory for rabies testing. If there is no contact, the animal's body shall be placed in the freezer at the Animal Shelter for disposal by the shelter staff.
8. During normal working hours, the Administrative Assistant will contact the veterinary clinic closest to the officer's location needing assistance for an injured or ill animal. The Administrative Assistant will advise the clinic of the problem and advise the officer whether or not the clinic will see the animal. If the veterinarian clinic is unable to see the animal, the Administrative Assistant shall continue calling for an available clinic in the vicinity.
9. When an ill or injured animal is taken to a clinic, the officer transporting the animal shall complete a Sick and Injured Animal Report. The Report shall include the veterinarian's diagnosis, prognosis, and recommended treatment. The veterinarian shall sign the Sick and Injured Animal Report, keeping a copy and giving the original copy to the officer. The officer shall assign a Sick and Injured Animal Report number in the upper right hand corner of the Report.
10. If an ill or injured animal is released from the clinic, and is subsequently taken to the shelter, a copy of the Sick and Injured Animal Report shall be attached to the impound ticket.

11. If the animal, after receiving medical treatment is reclaimed by the owner at the Animal Service Center, the County's cost of veterinary service shall be borne by the animal's owner, payable at the time of redemption. The impounding officer shall enter the owner's cost for veterinary care on the Impoundment Ticket and in the computer in the form of a memo.
12. If the ill or injured animal is claimed from the clinic or hospital of the attending veterinarian, any fee for treatment is to be settled between the veterinarian and animal owner.
13. Veterinary fees for unclaimed injured or sick animals that are received from the unincorporated area shall be paid by the City in accordance to section 4.3 of the Tallahassee-Leon County Animal Service Center Agreement. All Sick-Injury forms shall be forward to the City for payment.
14. Quarantined animals which die during quarantine or become sick and are euthanized, must be decapitated for testing by the State Laboratory. Before any quarantined animal is euthanized prior to its release from quarantine, the Director of Animal Control, or in the Director's absence the Leon County Public Health Unit Administrator, will be notified of the animal's health and behavior. Owners of such animals shall be advised by phone or in person by the Division of Animal Control of the animal's illness and the need for euthanasia in the case of animals exhibiting signs of rabies.
15. Sick or injured animals relinquished to the division by their owners may be euthanized at the shelter. In the case of bite animals, it shall be the discretion of the Director, or his designee, if the animal's head shall be submitted for rabies testing at the State Laboratory or held the quarantine period.
16. Leon County Animal Control or City Animal Service Center will provide funds for payment to a veterinarian. When an owner is located, the owner is responsible for reimbursing the amount covered by the ASC or DAC.

Section XIII. Trapping of Animals:

1. Traps are set to capture domestic animals that are difficult to catch. Traps shall be set as needed, depending upon availability, weather conditions, and staff resources.
2. Generally, traps will not be set in inclement weather, or when inclement or extremely cold weather is forecasted. Traps which must be set for bite, injured, or dangerous animals must be covered to protect the animal from inclement weather.
3. Temperatures below the mid-thirties are considered too cold to set traps, except for emergency cases. Emergency cases include, but are not limited to, sick, injured, dangerous, or bite animals.

4. Traps must be checked at least once daily by staff.
5. Animals will not be left in traps if they are injured, barking or howling excessively, sick, or in danger.
6. Animals found in traps during normal working hours, and taken into possession by an ACO, the animal shall be impounded as soon as possible, weather dictating the time frame. Animals found in traps after normal working hours will be picked up the next morning as early as possible, unless they increase in accordance to the Priority Category under Service Dispatch in the Internal Procedures, under Internal Procedures, in which case they will be impounded as soon as practical, to give consideration to the well-being of the animal.
7. The responding officer shall remove all trash and place fresh food in the trap during periodic checks.
8. All traps shall be chained to an immovable object.
9. If possible, traps shall be placed in the shade for the safety and comfort of the animal. If shade is unavailable, place cover over a portion of the trap to protect the animal from direct sunlight and heat. Cover only the top and the side receiving sunlight, so that maximum airflow is possible for the animal.
10. Traps are not set on private property unless the property owner or tenant signs a Trap Agreement. Unless the property owner objects, the division may set traps on public or private property to catch nuisance, feral, bite, or dangerous animals. The owner or tenant shall sign a trap agreement prior to the officer setting a trap.
11. Traps shall remain set for approximately five (5) days or until the target animal is caught, whichever occurs first.
12. Trap Status Cards are to be used to explain to the citizen the reason a trap is closed or removed.
13. If a wildlife animal is trapped, that animal is to be released in the area. If the wildlife animal is injured or sick, it shall be taken to the appropriate facility.

Section XIV. Wildlife:

1. All nuisance wildlife (including, but not limited to, possums, armadillos, squirrels) shall be referred to the non-game section of the Florida Fish and Wildlife Commission (FWC) for a resolution. FWC will determine whether the animal(s) should be trapped, relocated or euthanized.

**Leon County Division of Animal Control
Policies and Procedures Manual
Policy No. 05-8**

2. All sick wildlife of a species commonly recognized to be rabies-carriers (raccoons, foxes, bobcats, bats and skunks) will be handled by the Division of Animal Control in the unincorporated area of the County. All known exposures to humans or pets will be handled in accordance with routine rabies control procedures. Sick wildlife within the city limits which did not expose a human or pet to potential rabies transmission will be handled by the Animal Shelter, which is responsible for the City's animal control program.
3. All injured wildlife and all sick wildlife, excluding "rabies carriers," will be referred to St. Francis Wildlife Association.
4. The division shall comply with Florida Administrative Code, Chapter 64D-3, Rabies Control, when investigating and evaluating potential rabies exposure by wildlife. Unusual circumstances or problems will be brought to the attention of the Director of Animal Control, or to the Public Health Unit Administrator in the Director's absence.
5. As of June 1, 1988, Service Requests involving raccoons, bats, foxes, skunks, or bobcats harbored as personal pets in Leon County are investigated as a violation of Chapter 4, Section 4-78, Potential Rabies Carriers. Staff will attempt to determine the source and acquisition date of such animal. Such species obtained prior to June 1, 1988 maybe kept as personal pets. Owners of such species must be properly permitted through federal and/or state agencies. FWC should be notified of any wildlife violations observed by staff. Violations of Chapter 4 will be investigated by Division of Animal Control staff. Staff will issue a citation to any person harboring an animal in violation of Chapter 4, Section 4-78.

**Leon County
Board of County Commissioners**

Notes for Agenda Item #10

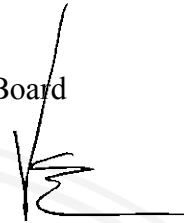
Leon County Board of County Commissioners

Cover Sheet for Agenda #10

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator



Title: Approval of Agreement Awarding Bid to CSI Contracting in the Amount of \$445,824 for Phase I Window Replacements at the Leon County Jail

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Tony Park, P.E., Director, Public Works Tom Brantley, P.E., Chief of Building/Engineering, Engineering Services
Lead Staff/ Project Team:	John Ward, Construction Manager, Engineering Services

Fiscal Impact:

This item has been budgeted in FY 16 and adequate funding is available.

Staff Recommendation:

Option #1: Approve the Agreement Awarding Bid to CSI Contracting in the amount of \$445,824 for Phase I Window Replacements at the Leon County Jail (Attachment #1), and authorize the County Administrator to execute.

Report and Discussion

Background:

The Leon County Jail was opened in 1991 and is now 25-years old. The original glass-tile masonry windows that were installed in areas of inmate pods at the Leon County Jail have deteriorated over time and are posing concerns for the on-going operation of the facility. This project will remove the glass-tile windows and install a newer style of security window into prepared openings.

Analysis:

The Leon County Sheriff's Department and Facilities Management staff evaluated the problem with the windows and retained design professionals to assist in determining the most effective repair option and prepared bid documents describing the repair work that needs to be done.

Bid Number BC-04-05-16-19 was advertised locally on February 25, 2016 and 578 vendors were notified through the automated bid system. A total of 37 vendors requested bid packages, which resulted in four bid statements. The bids were opened on April 14, 2016. The bid tabulation sheet is included as Attachment #2.

The bid documents had established aspirational targets of 17% MBE and 9% WBE or the completion of the required Good Faith Effort Documentation. The County received four bids (Attachment #2). Two bids were deemed non-responsive by Purchasing as they did not meet the M/WBE aspirational targets nor did they complete the MWBE Good Faith Effort Documentation. Of the two responsible and responsive bidders:

- CSI Contracting is the lowest in the amount of \$445,824. CSI included 10.2% MWBE utilization and completed a Good Faith Effort (Attachment #3).
- Advon Corporation was the second lowest in the amount of \$464,940. Advon did not include any MWBE utilization, but did complete a Good Faith Effort.

Funds for this project are currently budgeted.

Options:

1. Approve the Agreement Awarding Bid to CSI Contracting in the amount of \$445,824 for Phase I Window Replacements at the Leon County Jail (Attachment #1), and authorize the County Administrator to execute.
2. Do not approve the Agreement Awarding Bid to CSI Contracting in the amount of \$445,824 for Phase I Window Replacements at the Leon County Jail.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Agreement
2. Bid Tabulation Sheet
3. MWSBE Statement

AGREEMENT

THIS AGREEMENT, by and between LEON COUNTY, a charter county and a political subdivision of the State of Florida, hereinafter referred to as the "County" and CSI CONTRACTING, INC., hereinafter referred to as the "Contractor."

WHEREAS, the County has determined that it would be in the best interest of the citizens of Leon County, Florida, that the County be able to utilize the services of private persons when such services cannot be reasonably provided by the County; and

WHEREAS, the County has determined that it would be better to contract for these services than to hire the necessary personnel to satisfy the needs of the County: and

WHEREAS, in order to secure the lowest cost for these services, the County has sought and received competitive bids from contractor for such services.

NOW, THEREFORE, the parties hereto agree as follows:

1. SERVICES TO BE PROVIDED

The Contractor hereby agrees to provide to the County services related to window replacements in accordance with: 1) Leon County jail Window Replacements, Bid# BC-04-05-16-19 which is attached hereto and incorporated herein as Exhibit A, to the extent that it is not inconsistent with this Agreement; and 2) the Contractor's bid submission, which is attached hereto and incorporated herein as Exhibit B, to the extent that it is not inconsistent with this Agreement or with Exhibit A.

2. WORK

Any work to be performed shall be upon the written request of the County Administrator or his representative, which request shall set forth the commencing date of such work and the time within which such work shall be completed.

The performance of Leon County of any of its obligations under this Agreement shall be subject to and contingent upon the availability of funds lawfully expendable for the purposes of this Agreement for the current and any future periods provided for within the bid specifications.

3. TIME AND LIQUIDATED DAMAGES

The work to be performed under this contract shall be commenced within fifteen (15) days of the Notice to Proceed. All work to be performed under this Contract shall be completed within three hundred and ninety ninety (390) consecutive calendar days of the Notice to Proceed. If the work to be performed under this Contract is not completed within the time set forth above, or within such extra time as may be granted by the County, the Contractor shall be deemed to be in default. For each day the Contractor is in default, the Contractor or its Surety shall pay to the County, not as a penalty, but as liquidated damages, \$250.00.

Permitting the Contractor to continue and finish the work or any part of it after the expiration of the contract time allowed, including extensions, if any, shall in no way act as a waiver on the part of County of the liquidated damages due under the contract.

4. CONTRACT SUM

The Contractor agrees that for the performance of the Services as outlined in Section 1 above, it shall be remunerated by the County according to the unit prices contained in the Contractor's bid proposal, Exhibit B, which is attached hereto.

5. PAYMENTS TO THE GENERAL CONTRACTOR

Payments to the Contractor shall be made according to the requirements of the Local Government Prompt Payment Act, sections 218.70 - 218.79, Florida Statutes.

6. PROMPT PAYMENT INFORMATION REQUIREMENTS

A. The County Project Manager is:

Name: John Ward
Street Address: 1907 S Monroe Street
City, State, Zip Code: Tallahassee, FL 32301
Telephone: 850-606-5000
E-mail: wardj@leoncountyfl.gov

B. The Contractor's Project Manager is:

Name:
Street Address:
City, State, Zip Code:
Telephone:
E-mail:

C. Proper form for a payment request for this contract is:

For the purposes of this section, the term "Agent" shall refer to the Engineer when the County (Owner) has engaged their professional services and to serve as an Agent for a project. In those instances when no Agent has been retained for the project, the County shall provide services as Agent with its own staff.

When the Contractor considers that the Work, or a portion thereof which the Owner agrees to accept separately, is substantially complete, the Contractor shall prepare and submit to the Agent/Owner a comprehensive list of items to be completed or corrected prior to final payment. For contracts less than \$10 million in value, the list must be developed within 30 calendar days of substantial completion. For contracts more than \$10 million in value, the list must be developed within 30 calendar days of substantial completion unless the parties agree in writing to extend it up to 60 days. Failure to include an item on such list does not alter the responsibility of the contractor to complete all Work in accordance with the Contract Documents.

Upon receipt of the Contractor's list, the Agent/Owner will make an inspection to determine whether the Work or designated portion is substantially complete. If the Agent/Owner's inspection discloses any item, whether or not included on the Contractor's list, which is not sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work or designated portion thereof for its intended use, it shall be added to the list and the Contractor shall, before the issuance of the Certificate of Substantial Completion, complete or correct such item upon notification by the Agent/Owner. In such case, the Contractor shall then submit a request for another inspection by the Agent/Owner to determine Substantial Completion.

Upon completion or correction of all the items on the list, the Contractor may submit a payment request for all remaining retainage. The County may withhold up to 150% of the cost of any incomplete items.

D. Payment Dispute Resolution: Section 14.1 of the Leon County Purchasing and Minority, Women and Small Business Enterprise Policy details the policy and procedures for payment disputes under the contract.

7. STATUS

The contractor at all times relevant to this Agreement shall be an independent contractor and in no event shall the Contractor nor any employees or sub-contractors under it be considered to be employees of Leon County.

8. INSURANCE

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Contractor's bid.

A. Minimum Limits of Insurance. Contractor shall maintain limits no less than:

1. General Liability: \$1,000,000 Combined Single Limit for bodily injury and property damage per occurrence with a \$2,000,000 annual aggregate. Completed operations coverage will be provided for a period of three (3) years beyond termination and/or completion of the project. Coverage must include bodily injury and property damage, including Premise/Operations: a per location aggregate, Broad Form Contractual liability; Broad Form Property Damage; Fire Legal liability; Independent Contractors coverage; Cross Liability & Severability of Interest Clauses; and Personal Injury (deleting employee and contractual exclusions), and coverage for explosion, collapse, and underground (X,C,U).
2. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage. (Non-owned, Hired Car).
3. Workers' Compensation and Employers Liability: Insurance covering all employees meeting Statutory Limits in compliance with the applicable state and federal laws and Employer's Liability with a limit of \$500,000 per accident, \$500,000 disease policy limit, \$500,000 disease each employee. Waiver of Subrogation in lieu of Additional Insured is required.

B. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

C. Other Insurance Provisions The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability and Automobile Liability Coverages (County is to be named as Additional Insured).
 - a. The County, its officers, officials, employees and volunteers are to be covered as insureds as respects; liability arising out of activities performed by or on behalf of the Contractor, including the insured's general supervision of the Contractor; products and completed operations of the Contractor; premises owned, occupied or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protections afforded the County, its officers, officials, employees or volunteers.
 - b. The Contractor's insurance coverage shall be primary insurance as respects the County,

it officers, officials, employees and volunteers. Any insurance of self-insurance maintained by the County, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.

- c. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the county, its officers, officials, employees or volunteers.
- d. The Contractor's insurance shall apply separately to each insured against whom claims is made or suit is brought, except with respect to the limits of the insurer's liability.

2. All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the County.

- D. Acceptability of Insurers. Insurance is to be placed with insurers with a Best's rating of no less than A:VII.
- E. Verification of Coverage. Contractor shall furnish the County with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the County before work commences. The County reserves the right to require complete, certified copies of all required insurance policies at any time.
- F. Subcontractors. Contractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

9. PERMITS

The Contractor shall pay for all necessary permits as required by law not specifically identified by Leon County.

10. LICENSES

The Contractor shall be responsible for obtaining and maintaining his city or county occupational license and any licenses required pursuant to the laws of Leon County, the City of Tallahassee, or the State of Florida. Should the Contractor, by reason of revocation, failure to renew, or any other reason, fail to maintain his license to operate, the contractor shall be in default as of the date such license is lost.

11. ASSIGNMENTS

This Agreement shall not be assigned or sublet as a whole or in part without the written consent of the County nor shall the contractor assign any monies due or to become due to him hereunder without the previous written consent of the County.

12. PAYMENT AND PERFORMANCE BOND

A Payment and Performance Bond in the amount of 100% of the estimated project cost shall be supplied by the Contractor at the time of Agreement execution. Also, a Payment and Material Bond for the Agreement amount shall be supplied by the Contractor at the same time.

Payment and Performance and Material Bonds shall provide that, in the event of non-performance on the part of the Contractor the bond can be presented for honor and acceptance at an authorized representative or institution located in Tallahassee, Florida. The Payment and Performance Bond shall be in the following form:

PUBLIC CONSTRUCTION BOND
Bond No.(enter bond number)

BY THIS BOND, We _____, as Principal and _____ a corporation, as Surety, are bound to _____, herein called Owner, in the sum of \$ _____, for payment of which we bind ourselves, our heirs, personal representatives, successors, and assigns, jointly and severally.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the contract dated _____, between Principal and Owner for construction of _____, the contract being made a party of this bond by reference, at the time and in the manner prescribed in the contract; and
2. Promptly makes payments to all claimants, as defined in Section 255.05(1), Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the contract; and
3. Pays Owner all losses, damages, expenses, costs, and attorney's fees, including appellate proceedings, that Owner sustains because of a default by Principal under the contract; and
4. Performs the guarantee of all work and materials furnished under the contract for the time specified in the contract, then this bond is void; otherwise it remains in full force.

Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes.

Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond.

DATED on this the _____ day of _____, 20__.

(Name of Principal)

By:
(As Attorney-In-Fact)

(Name of Surety)

Payment bonds executed as a result of the requirements herein by a surety shall make reference to Section 255.05, Florida Statutes, by number and shall contain reference to the notice and time limitation provisions in Section 255.05, Florida Statutes.

13. INDEMNIFICATION

The Contractor agrees to indemnify and hold harmless the County, its officials, officers and employees, from and against any and all liabilities, damages, losses and costs, including, but not limited to reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the Contractor and persons employed or utilized by the Contractor in the performance of this agreement.

The County may, at its sole option, defend itself or required the Contractor to provide the defense. The Contractor acknowledges that the sum of ten dollars (\$10.00) of the amount paid to the Contractor constitutes sufficient consideration for the Contractor's indemnification of the County, its officials, officers and employees.

It is understood that the Contractors responsibility to indemnify and defend the County, it officials, officers and employees is limited to the Contractors proportionate share of liability caused by the negligent acts or omissions of the Contractor, its delegates, agents or employees.

14. MINORITY BUSINESS ENTERPRISE (M/WBE) PARTICIPATION

The Contractor shall meet or exceed the M/WBE participation levels stated in the Contractor's M/WBE Participation Statement included as part of the Contractor's response for this project, see **Exhibit B**, attached hereto and made a part hereof except when the County Good Faith Committee approves an exception.

The Contractor shall provide a monthly report to the Leon County Minority, Women and Small Business Enterprise Division in a format and manner prescribed by the Division. The report shall, at a minimum, indicate the business name of each certified Minority Business Enterprise or Women Business Enterprise sub-contractor utilized, the amount paid, the type of work performed, the appropriate invoice date, and the payment date to the Division.

Should Contractor's sub-contractor utilization fall below the level required in this Agreement or should Contractor substitute MWBE sub-contractors without prior written approval of the Division, the Contractor may be in breach of the Agreement. Contractors found in breach of their Agreement with the County may be suspended from bidding on and/or participation in any future County projects for up to three (3) years as provided in Section 15 of the Purchasing and Minority, Women, and Small Business Enterprise Policy 96-1.

Any change in the subcontractor utilization as listed on the participation plan (**Exhibit B**), must be approved by the MWSBE Division. Should the Contractor determine that the MWBE named in their participation plan submittal is unavailable or cannot perform the work, the Contractor shall request a change order. Such change order must be submitted to the MWSBE Division in writing at 2284 Miccosukee Road, Tallahassee, Florida or by facsimile to (850) 606-1651.

15. AUDITS, RECORDS, AND RECORDS RETENTION

The Contractor agrees:

- a. To establish and maintain books, records, and documents (including electronic storage media) in accordance with generally accepted accounting procedures and practices, which sufficiently and properly reflect all revenues and expenditures of funds provided by the County under this Agreement.
- b. To retain all client records, financial records, supporting documents, statistical records, and any other documents (including electronic storage media) pertinent to this Agreement for a period of five (5) years after termination of the Agreement, or if an audit has been initiated and audit findings have not been resolved at the end of five (5) years, the records shall be retained until resolution of the audit findings or any litigation which may be based on the terms of this Agreement.
- c. Upon completion or termination of the Agreement and at the request of the County, the Contractor will cooperate with the County to facilitate the duplication and transfer of any said records or documents during the required retention period as specified in paragraph 1 above.
- d. To assure that these records shall be subject at all reasonable times to inspection, review, or audit by Federal, state, or other personnel duly authorized by the County.
- e. Persons duly authorized by the County and Federal auditors, pursuant to 45 CFR, Part 92.36(l)(10),

shall have full access to and the right to examine any of provider's Agreement and related records and documents, regardless of the form in which kept, at all reasonable times for as long as records are retained.

- f. To include these aforementioned audit and record keeping requirements in all approved subcontracts and assignments.

16. MONITORING

To permit persons duly authorized by the County to inspect any records, papers, documents, facilities, goods, and services of the provider which are relevant to this Agreement, and interview any clients and employees of the provider to assure the County of satisfactory performance of the terms and conditions of this Agreement.

Following such evaluation, the County will deliver to the provider a written report of its findings and will include written recommendations with regard to the provider's performance of the terms and conditions of this Agreement. The provider will correct all noted deficiencies identified by the County within the specified period of time set forth in the recommendations. The provider's failure to correct noted deficiencies may, at the sole and exclusive discretion of the County, result in any one or any combination of the following: (1) the provider being deemed in breach or default of this Agreement; (2) the withholding of payments to the provider by the County; and (3) the termination of this Agreement for cause.

17. TERMINATION

Leon County may terminate this Agreement without cause, by giving the Contractor thirty (30) days written notice of termination. Either party may terminate this Agreement for cause by giving the other party hereto thirty (30) days written notice of termination. The County shall not be required to give Contractor such thirty (30) day written notice if, in the opinion of the County, the Contractor is unable to perform its obligations hereunder, or if in the County's opinion, the services being provided are not satisfactory. In such case, the County may immediately terminate the Agreement by mailing a notice of termination to the Contractor.

18. PUBLIC ENTITY CRIMES STATEMENT

In accordance with Section 287.133, Florida Statutes, Contractor hereby certifies that to the best of his knowledge and belief neither Contractor nor his affiliates has been convicted of a public entity crime. Contractor and his affiliates shall provide the County with a completed public entity crime statement form no later than January 15 of each year this Agreement is in effect. Violation of this section by the Contractor shall be grounds for cancellation of this Agreement by Leon County.

19. UNAUTHORIZED ALIEN(S)

The Contractor agrees that unauthorized aliens shall not be employed nor utilized in the performance of the requirements of this solicitation. The County shall consider the employment or utilization of unauthorized aliens a violation of Section 274A(e) of the Immigration and Naturalization Act (8 U.S.C. 1324a). Such violation shall be cause for unilateral termination of this Agreement by the County.

20. EMPLOYMENT ELIGIBILITY VERIFICATION

- a. Contractor agrees that it will enroll and participate in the federal E-Verify Program for Employment Verification under the terms provided in the "Memorandum of Understanding" governing the program. Contractor further agrees to provide to the County, within thirty days of the effective date of this contract/amendment/extension, documentation of such enrollment in the form of a copy of the E-Verify "Edit Company Profile" screen, which contains proof of enrollment in the E-Verify Program (this page can be accessed from the "Edit Company Profile" link on the left navigation menu of the E-Verify employer's homepage).
- b. Contractor further agrees that it will require each subcontractor that performs work under this contract

to enroll and participate in the E-Verify Program within sixty days of the effective date of this contract/amendment/extension or within sixty days of the effective date of the contract between the Contractor and the subcontractor, whichever is later. The Contractor shall obtain from the subcontractor(s) a copy of the "Edit Company Profile" screen indicating enrollment in the E-Verify Program and make such record(s) available to the Agency upon request.

- c. Contractor will utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of: (a) all persons employed during the term of the Agreement by Contractor to perform employment duties within Florida; and (b) all persons (including subcontractors) assigned by Contractor to perform work pursuant to the Agreement.
 - 1) Contractor must use E-Verify to initiate verification of employment eligibility for all persons employed during the term of the Agreement by Contractor to perform employment duties within Florida within 3 business days after the date of hire.
 - 2) Contractor must initiate verification of each person (including subcontractors) assigned by Contractor to perform work pursuant to the Agreement within 60 calendar days after the date of execution of this contract or within 30 days after assignment to perform work pursuant to the Agreement, whichever is later.
- d. Contractor further agrees to maintain records of its participation and compliance with the provisions of the E-Verify program, including participation by its subcontractors as provided above, and to make such records available to the County or other authorized state entity consistent with the terms of the Memorandum of Understanding.
- e. Compliance with the terms of this Employment Eligibility Verification provision is made an express condition of this contract and the County may treat a failure to comply as a material breach of the contract.

21. NON-WAIVER

Failure by the County to enforce or insist upon compliance with any of the terms or conditions of this Agreement or failure to give notice or declare this Agreement terminated shall not constitute a general waiver or relinquishment of the same, or of any other terms, conditions or acts; but the same shall be and remain at all times in full force and effect.

22. DELAY

No claim for damages or any claim other than for an extension of time shall be made or asserted against the County by reason of any delays. The Contractor shall not be entitled to an increase in the contract sum or payment or compensation of any kind from the County for direct, indirect, consequential, impact or other costs, expenses or damages, including but limited to costs of acceleration or inefficiency, arising because of delay, disruption, interference or hindrance from any cause whatsoever, whether such delay, disruption, interference or hindrance be reasonable or unreasonable, foreseeable or unforeseeable, or avoidable or unavoidable; provided, however, that this provision shall not preclude recovery of damages by the Contractor for hindrances or delays due solely to fraud, bad faith, or active interference on the part of the County or its agents. Otherwise, the Contractor shall be entitled only to extensions of the contract time as the sole and exclusive remedy for such resulting delay, in accordance with and to the extent specifically provided above.

23. REVISIONS

In any case where, in fulfilling the requirements of this Agreement or of any guarantee, embraced in or required thereby it is necessary for the Contractor to deviate from the requirements of the bid, Contractor shall obtain the prior written consent of the County.

24. VENUE

Venue for all actions arising under this Agreement shall lie in Leon County, Florida.

25. CONSTRUCTION

The validity, construction, and effect of this Agreement shall be governed by the laws of the State of Florida.

26. CONFLICTING TERMS AND CONDITIONS

In the instance that any other agreement exists concerning the matters herein, then the terms and conditions in this Agreement shall prevail over all other terms and conditions.

ORDER OF PRECEDENCE

1. Agreement
2. Solicitation Document
3. Vendor Response

ATTACHMENTS

- Exhibit A - Solicitation Document
- Exhibit B - Vendor Response
- Exhibit C - Tabulation Sheet

The remainder of this page intentionally left blank.

WHERETO, the parties have set their hands and seals effective the date whereon the last party executes this Agreement.

LEON COUNTY, FLORIDA

By: _____
Vincent S. Long
County Administrator

Date: _____

ATTEST:
Bob Inzer, Clerk of the Circuit Court & Comptroller
Leon County, Florida

BY: _____

Approved as to Form:
Leon County Attorney's Office

BY: _____
Herbert W. A. Thiele, Esquire
County Attorney

CSI CONTRACTING, INC.

By: _____
President or designee

Printed Name

Title: _____

Date: _____

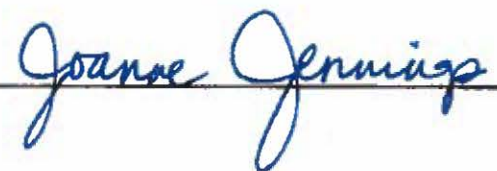
**LEON COUNTY PURCHASING DIVISION
 BID TABULATION SHEET
 BC-04-05-16-19**

Bid Title: Leon County Jail Window Replacement

Opening Date: Thursday, April 14, 2016 at 2:00 PM

Item/Vendor	Council Contracting	Adron Corp.	CSI Contracting
Manual Signature	yes	yes	yes
Affidavit of Immigration	yes	yes	yes
Tie Bid	yes	yes	yes
MWSBE	yes	yes	yes
Insurance	yes	yes	yes
Certificate Debarment	yes	yes	yes
Bond	yes	yes	yes
Base Bid	\$ 475,000.00	\$ 464,940.00	\$ 445,824.00
No Bid:			

Tabulated By: 



**LEON COUNTY PURCHASING DIVISION
 BID TABULATION SHEET
 BC-04-05-16-19**

Bid Title: Leon County Jail Window Replacement

Opening Date: Thursday, April 14, 2016 at 2:00 PM

Item/Vendor	RAM Construction		
Manual Signature	yes		
Affidavit of Immigration	yes		
Tie Bid	yes		
MWSBE	yes		
Insurance	yes		
Certificate Debarment	yes		
Bond	yes		
Base Bid	\$ 446,000.00		
No Bid:			

Tabulated By: 

Joanne Jennings

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memorandum

Date: April 14, 2016

To: John Ward, Construction Manager
Facilities Management Division - Department of Public Works

From: Shanea Y. Wilks, Director
Minority, Women, & Small Business Enterprise (MWSBE) - Office of Economic Vitality

Subject: Leon County Jail Window Replacements (BC-04-05-16-19)

The Minority, Women, & Small Business Enterprise (MWSBE) Division reviewed the MWBE Participation Plans of four bid respondents to determine if the 17% MBE and 9% WBE Aspirational Targets for Construction Subcontracting were achieved for the Leon County Jail Window Replacements Project.

The submitted MWBE Participation Plans for each bidder are as follows:

CSI Contracting, Inc. did not meet the MWBE Aspirational Target for Construction Subcontracting. The Good Faith Effort Form was completed as required with supporting documentation according to policy. The MWBE firms listed below are the firms **CSI Contracting, Inc.** intends to utilize on this project. *If CSI Contracting, Inc. is selected, staff is recommending that CSI Contracting, Inc. continue its Good Faith Efforts to increase their MWBE participation.*

Total Bid Amount		\$445,824			
Name of MWBE	Race/Gender	Certifying Agency	Goods & Services	MWBE Dollars	MWBE Utilization Percentage
Eddie Nathan Painting, Inc.	African American Male	Leon County	Painting	\$20,500	4.6%
Bannerman Landscape, LLC	Non-Minority Female	City of Tallahassee	Landscaping	\$15,000	3.4%
Brian D. Smith Cleaning Services, LLC	African American Male	Leon County	Cleaning	\$9,900	2.2%
Total MWBE Dollars					\$45,400
Total MWBE Utilization Percentage					10.2%

Advon Corporation did not meet the MWBE Aspirational Target for Construction Subcontracting. The Good Faith Effort Form was completed as required with supporting documentation according to policy. There are no MWBE firms listed within the Bid Response for **Advon Corporation**.

Total Bid Amount		\$464,940			
Name of MWBE	Race/Gender	Certifying Agency	Goods & Services	MWBE Dollars	MWBE Utilization Percentage
N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A
Total MWBE Dollars					\$0
Total MWBE Utilization Percentage					0%

RAM Construction & Development, LLC did not meet the MWBE Aspirational Target for Construction Subcontracting. **RAM Construction & Development, LLC** was missing the Good Faith Effort Documentation within their Bid Response; and was therefore deemed "Non-responsive" by the Purchasing Division.

Total Bid Amount	\$446,000				
Name of MWBE	Race/Gender	Certifying Agency	Goods & Services	MWBE Dollars	MWBE Utilization Percentage
N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A
Total MWBE Dollars					\$0
Total MWBE Utilization Percentage					0%

Council Contracting, Inc. did not meet the MWBE Aspirational Target for Construction Subcontracting. **Council Contracting, Inc.** was missing the Good Faith Effort Documentation within their Bid Response; and was therefore deemed "Non-responsive" by the Purchasing Division.

Total Bid Amount	\$475,000				
Name of MWBE	Race/Gender	Certifying Agency	Goods & Services	MWBE Dollars	MWBE Utilization Percentage
N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A
Total MWBE Dollars					\$0
Total MWBE Utilization Percentage					0%

**Leon County
Board of County Commissioners**


Notes for Agenda Item #11

Leon County Board of County Commissioners

Cover Sheet for Agenda #11

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Approval of Agreement Awarding Bid to M of Tallahassee, Inc. in the Amount of \$568,470 for the Construction of the Old Bainbridge Road at Pullen Road Intersection Improvement Project

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Tony Park, P.E., Director, Public Works
Lead Staff/ Project Team:	Charles Wu, P.E., Chief of Engineering Design Chris Muehlemann, P.E., Senior Design Engineer

Fiscal Impact:

This item has a fiscal impact. Funding for the County's portion of the Old Bainbridge Road at Pullen Road Intersection Improvement Project is included in the Capital Improvement Budget. The Water and Wastewater Infrastructure Relocation or Installation JPA with the City of Tallahassee provides that the City will provide funding for Water and Wastewater Utility construction work (\$100,786) and 2% of the contract price for the County administering the contract (\$2,747). The City will deposit these funds into an escrow account upon Board approval of the Agreement.

Staff Recommendation:

- Option #1: Approve the Agreement awarding bid to M of Tallahassee, Inc., in the amount of \$568,470 for the Construction of the Old Bainbridge Road at Pullen Road Intersection Improvement Project (Attachment #1), and authorize the County Administrator to execute.
- Option #2: Approve the Resolution and associated Budget Amendment Request realizing the \$103,533 from the City of Tallahassee into the County budget (Attachment#2).

Report and Discussion

Background:

The Project is located in northern Leon County on Old Bainbridge Road approximately one-quarter mile south of Interstate-10 at the intersection of Pullen Road and Willamette Road. The existing configuration of Old Bainbridge Road at Pullen Road and Willamette Road is at an acute angle that impedes visibility and makes a difficult right turn for vehicles traveling north on Old Bainbridge Road. Westbound left turns are significantly impeded during peak travel times, which results in long traffic queues on Pullen Road. In the past five years, 35 traffic accidents have occurred at this intersection.

The roundabout design for the Project will improve all traffic movements through the Old Bainbridge at Pullen Road intersection and will enhance the safety for vehicles and pedestrians by calming the traffic through the intersection and reducing congestion during peak traffic hours. The final design includes an enhanced stormwater management facility, improved pedestrian features, a more harmonious design to the existing terrain, and landscaping and irrigation to mitigate the Canopy Road impacts (Attachment #3). In 2014, the Canopy Roads Citizens Committee reviewed and concurred with the final project design.

On December 11, 2014, the Leon County Public Works Department held an Open House Meeting to present the project and solicit input from the neighboring residents. The input that was received was positive for the proposed roundabout for this intersection.

On June 3, 2015, the City of Tallahassee entered a Joint Project Agreement (JPA) with Leon County for the Water and Wastewater Utility work for Old Bainbridge Road and Pullen Road Improvements (Attachment #4). The Water and Wastewater Infrastructure Relocation or Installation JPA provides that the City will provide funding for Water and Wastewater Utility construction work and 2% of the contract price for the County administering the contract. In addition, the City agrees to pay its fair share of the construction cost for the road reconstruction as stipulated in the JPA. The JPA provides for the funds to be deposited by the City of Tallahassee into an escrow account when the construction bid for all work is awarded by the Board of County Commissioners.

Analysis:

The Invitation to Bid for the Old Bainbridge at Pullen Road Intersection Improvement project was advertised locally on March 22, 2016. A total of 355 vendors were notified through the automated procurement system. Fifty-one vendors requested bid packages, and the County received four bids on April 21, 2016. The lowest responsive bidder was M of Tallahassee, Inc. for an estimated total bid price of \$568,470 (Attachment #5). The second lowest bid was received from Sandco, Inc. for an estimated total of \$764,347. The bid difference between the lowest and the second lowest is \$195,877. This is a unit price contract and the Contractor will be paid based on the actual quantity used for each individual pay item (Attachment #6).

The Minority, Women and Small Business Enterprise (MWSBE) Division reviewed MWBE Participation Plans, submitted by the four bidding firms, to determine if the 17% MBE and 9% WBE targets were achieved for the Construction bid (Attachment #7). All bidders either met or exceeded the aspirational targets.

The construction is anticipated to begin in June 2016 and be completed in August 2016. Funds are included in the current budget.

Options:

1. Approve the Agreement awarding bid to M of Tallahassee, Inc., in the amount of \$568,470 for the construction of Old Bainbridge Road at Pullen Road Intersection Improvement Project (Attachment #1), and authorize the County Administrator to execute.
2. Approve the Resolution and associated Budget Amendment Request realizing the \$103,533 from the City of Tallahassee into the County budget (Attachment #2).
3. Do not approve the Agreement awarding bid to M of Tallahassee, Inc. in the amount of \$568,470 for the construction of the Old Bainbridge at Pullen Road Intersection Improvement Project.
4. Board direction.

Recommendation:

Options #1 and #2.

Attachments:

1. Proposed Agreement
2. Resolution and associated Budget Amendment Request
3. Project Location Map
4. Joint Project Agreement
5. Bid Tabulation Sheet
6. Bid Pricing Sheet
7. MWBE Analysis

AGREEMENT

THIS AGREEMENT, by and between LEON COUNTY, a charter county and a political subdivision of the State of Florida, hereinafter referred to as the "County" and M OF TALLAHASSEE, INC., hereinafter referred to as the "Contractor."

WHEREAS, the County has determined that it would be in the best interest of the citizens of Leon County, Florida, that the County be able to utilize the services of private persons when such services cannot be reasonably provided by the County; and

WHEREAS, the County has determined that it would be better to contract for these services than to hire the necessary personnel to satisfy the needs of the County: and

WHEREAS, in order to secure the lowest cost for these services, the County has sought and received competitive bids from contractor for such services.

NOW, THEREFORE, the parties hereto agree as follows:

1. SERVICES TO BE PROVIDED

The Contractor hereby agrees to provide to the County services related to Old Bainbridge Roundabout in accordance with: 1) Old Bainbridge and Pullen Roads Roundabout, Bid# BC-04-21-16-21 which is attached hereto and incorporated herein as Exhibit A, to the extent that it is not inconsistent with this Agreement; and 2) the Contractor's bid submission, which is attached hereto and incorporated herein as Exhibit B, to the extent that it is not inconsistent with this Agreement or with Exhibit A.

2. WORK

Any work to be performed shall be upon the written request of the County Administrator or his representative, which request shall set forth the commencing date of such work and the time within which such work shall be completed.

The performance of Leon County of any of its obligations under this Agreement shall be subject to and contingent upon the availability of funds lawfully expendable for the purposes of this Agreement for the current and any future periods provided for within the bid specifications.

3. TIME AND LIQUIDATED DAMAGES

The work to be performed under this contract shall be commenced within fifteen (15) days of the Notice to Proceed. All work to be performed under this Contract shall be completed within one hundred twenty (120) consecutive calendar days of the Notice to Proceed. If the work to be performed under this Contract is not completed within the time set forth above, or within such extra time as may be granted by the County, the Contractor shall be deemed to be in default. For each day the Contractor is in default, the Contractor or its Surety shall pay to the County, not as a penalty, but as liquidated damages, an amount based on the bid price and according to Section 8-10 of the FDOT's Standard Specifications for Road and Bridge Construction, 2010 Edition.

Permitting the Contractor to continue and finish the work or any part of it after the expiration of the contract time allowed, including extensions, if any, shall in no way act as a waiver on the part of County of the liquidated damages due under the contract.

4. CONTRACT SUM

The Contractor agrees that for the performance of the Services as outlined in Section 1 above, it shall be remunerated by the County according to the unit prices contained in the Contractor's bid proposal, Exhibit B, which is attached hereto.

5. PAYMENTS TO THE GENERAL CONTRACTOR

Payments to the Contractor shall be made according to the requirements of the Local Government Prompt Payment Act, sections 218.70 - 218.79, Florida Statutes.

6. PROMPT PAYMENT INFORMATION REQUIREMENTS

A. The County Project Manager is:

Name: Chris Muehlemann
Street Address: 2280 Miccosukee Road
City, State, Zip Code: Tallahassee, FL 32308
Telephone: 850-606-1500
E-mail: muehlemannc@leoncountyfl.gov

B. The Contractor's Project Manager is:

Name:
Street Address:
City, State, Zip Code:
Telephone:
E-mail:

C. Proper form for a payment request for this contract is:

For the purposes of this section, the term "Agent" shall refer to the Engineer when the County (Owner) has engaged their professional services and to serve as an Agent for a project. In those instances when no Agent has been retained for the project, the County shall provide services as Agent with its own staff.

When the Contractor considers that the Work, or a portion thereof which the Owner agrees to accept separately, is substantially complete, the Contractor shall prepare and submit to the Agent/Owner a comprehensive list of items to be completed or corrected prior to final payment. For contracts less than \$10 million in value, the list must be developed within 30 calendar days of substantial completion. For contracts more than \$10 million in value, the list must be developed within 30 calendar days of substantial completion unless the parties agree in writing to extend it up to 60 days. Failure to include an item on such list does not alter the responsibility of the contractor to complete all Work in accordance with the Contract Documents.

Upon receipt of the Contractor's list, the Agent/Owner will make an inspection to determine whether the Work or designated portion is substantially complete. If the Agent/Owner's inspection discloses any item, whether or not included on the Contractor's list, which is not sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work or designated portion thereof for its intended use, it shall be added to the list and the Contractor shall, before the issuance of the Certificate of Substantial Completion, complete or correct such item upon notification by the Agent/Owner. In such case, the Contractor shall then submit a request for another inspection by the Agent/Owner to determine Substantial Completion.

Upon completion or correction of all the items on the list, the Contractor may submit a payment request for all remaining retainage. The County may withhold up to 150% of the cost of any incomplete items.

- D. Payment Dispute Resolution: Section 14.1 of the Leon County Purchasing and Minority, Women and Small Business Enterprise Policy details the policy and procedures for payment disputes under the contract.

7. STATUS

The contractor at all times relevant to this Agreement shall be an independent contractor and in no event shall the Contractor nor any employees or sub-contractors under it be considered to be employees of Leon County.

8. INSURANCE

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Contractor's bid.

- A. Minimum Limits of Insurance. Contractor shall maintain limits no less than:

1. General Liability: \$1,000,000 Combined Single Limit for bodily injury and property damage per occurrence with a \$2,000,000 annual aggregate. Completed operations coverage will be provided for a period of three (3) years beyond termination and/or completion of the project. Coverage must include bodily injury and property damage, including Premise/Operations: a per location aggregate, Broad Form Contractual liability; Broad Form Property Damage; Fire Legal liability; Independent Contractors coverage; Cross Liability & Severability of Interest Clauses; and Personal Injury (deleting employee and contractual exclusions), and coverage for explosion, collapse, and underground (X,C,U).
2. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage. (Non-owned, Hired Car).
3. Workers' Compensation and Employers Liability: Insurance covering all employees meeting Statutory Limits in compliance with the applicable state and federal laws and Employer's Liability with a limit of \$500,000 per accident, \$500,000 disease policy limit, \$500,000 disease each employee. Waiver of Subrogation in lieu of Additional Insured is required.

- B. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

- C. Other Insurance Provisions The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability and Automobile Liability Coverages (County is to be named as Additional Insured).
 - a. The County, its officers, officials, employees and volunteers are to be covered as insureds as respects; liability arising out of activities performed by or on behalf of the Contractor, including the insured's general supervision of the Contractor; products and completed operations of the Contractor; premises owned, occupied or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protections afforded the

County, its officers, officials, employees or volunteers.

- b. The Contractor's insurance coverage shall be primary insurance as respects the County, its officers, officials, employees and volunteers. Any insurance of self-insurance maintained by the County, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
- c. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the county, its officers, officials, employees or volunteers.
- d. The Contractor's insurance shall apply separately to each insured against whom claims is made or suit is brought, except with respect to the limits of the insurer's liability.

2. All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the County.

- D. Acceptability of Insurers. Insurance is to be placed with insurers with a Best's rating of no less than A:VII.
- E. Verification of Coverage. Contractor shall furnish the County with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the County before work commences. The County reserves the right to require complete, certified copies of all required insurance policies at any time.
- F. Subcontractors. Contractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

9. PERMITS

The Contractor shall pay for all necessary permits as required by law not specifically identified by Leon County.

10. LICENSES

The Contractor shall be responsible for obtaining and maintaining his city or county occupational license and any licenses required pursuant to the laws of Leon County, the City of Tallahassee, or the State of Florida. Should the Contractor, by reason of revocation, failure to renew, or any other reason, fail to maintain his license to operate, the contractor shall be in default as of the date such license is lost.

11. ASSIGNMENTS

This Agreement shall not be assigned or sublet as a whole or in part without the written consent of the County nor shall the contractor assign any monies due or to become due to him hereunder without the previous written consent of the County.

12. PAYMENT AND PERFORMANCE BOND

A Payment and Performance Bond in the amount of 100% of the estimated project cost shall be supplied by the Contractor at the time of Agreement execution. Also, a Payment and Material Bond for the Agreement amount shall be supplied by the Contractor at the same time.

Payment and Performance and Material Bonds shall provide that, in the event of non-performance on the part of the Contractor the bond can be presented for honor and acceptance at an authorized representative or institution located in Tallahassee, Florida. The Payment and Performance Bond shall be in the following form:

PUBLIC CONSTRUCTION BOND
Bond No.(enter bond number)

BY THIS BOND, We _____, as Principal and _____ a corporation, as Surety, are bound to _____, herein called Owner, in the sum of \$ _____, for payment of which we bind ourselves, our heirs, personal representatives, successors, and assigns, jointly and severally.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the contract dated _____, between Principal and Owner for construction of _____, the contract being made a party of this bond by reference, at the time and in the manner prescribed in the contract; and
2. Promptly makes payments to all claimants, as defined in Section 255.05(1), Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the contract; and
3. Pays Owner all losses, damages, expenses, costs, and attorney's fees, including appellate proceedings, that Owner sustains because of a default by Principal under the contract; and
4. Performs the guarantee of all work and materials furnished under the contract for the time specified in the contract, then this bond is void; otherwise it remains in full force.

Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes.

Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond.

DATED on this the _____ day of _____, 20__.

(Name of Principal)

By:
(As Attorney-In-Fact)

(Name of Surety)

Payment bonds executed as a result of the requirements herein by a surety shall make reference to Section 255.05, Florida Statutes, by number and shall contain reference to the notice and time limitation provisions in Section 255.05, Florida Statutes.

13. INDEMNIFICATION

The Contractor agrees to indemnify and hold harmless the County, its officials, officers and employees, from and against any and all liabilities, damages, losses and costs, including, but not limited to reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the Contractor and persons employed or utilized by the Contractor in the performance of this agreement.

The County may, at its sole option, defend itself or required the Contractor to provide the defense. The Contractor acknowledges that the sum of ten dollars (\$10.00) of the amount paid to the Contractor constitutes sufficient consideration for the Contractor's indemnification of the County, its officials, officers and employees.

It is understood that the Contractors responsibility to indemnify and defend the County, it officials, officers and employees is limited to the Contractors proportionate share of liability caused by the negligent acts or omissions of the Contractor, its delegates, agents or employees.

14. MINORITY BUSINESS ENTERPRISE (M/WBE) PARTICIPATION

The Contractor shall meet or exceed the M/WBE participation levels stated in the Contractor's M/WBE Participation Statement included as part of the Contractor's response for this project, see **Exhibit B**, attached hereto and made a part hereof except when the County Good Faith Committee approves an exception.

The Contractor shall provide a monthly report to the Leon County Minority, Women and Small Business Enterprise Division in a format and manner prescribed by the Division. The report shall, at a minimum, indicate the business name of each certified Minority Business Enterprise or Women Business Enterprise sub-contractor utilized, the amount paid, the type of work performed, the appropriate invoice date, and the payment date to the Division.

Should Contractor's sub-contractor utilization fall below the level required in this Agreement or should Contractor substitute MWBE sub-contractors without prior written approval of the Division, the Contractor may be in breach of the Agreement. Contractors found in breach of their Agreement with the County may be suspended from bidding on and/or participation in any future County projects for up to three (3) years as provided in Section 15 of the Purchasing and Minority, Women, and Small Business Enterprise Policy 96-1.

Any change in the subcontractor utilization as listed on the participation plan (**Exhibit B**), must be approved by the MWSBE Division. Should the Contractor determine that the MWBE named in their participation plan submittal is unavailable or cannot perform the work, the Contractor shall request a change order. Such change order must be submitted to the MWSBE Division in writing at 2284 Miccosukee Road, Tallahassee, Florida or by facsimile to (850) 606-1651.

15. AUDITS, RECORDS, AND RECORDS RETENTION

The Contractor agrees:

- a. To establish and maintain books, records, and documents (including electronic storage media) in accordance with generally accepted accounting procedures and practices, which sufficiently and properly reflect all revenues and expenditures of funds provided by the County under this Agreement.
- b. To retain all client records, financial records, supporting documents, statistical records, and any other documents (including electronic storage media) pertinent to this Agreement for a period of five (5) years after termination of the Agreement, or if an audit has been initiated and audit findings have not been resolved at the end of five (5) years, the records shall be retained until resolution of the audit findings or any litigation which may be based on the terms of this Agreement.
- c. Upon completion or termination of the Agreement and at the request of the County, the Contractor will cooperate with the County to facilitate the duplication and transfer of any said records or documents during the required retention period as specified in paragraph 1 above.
- d. To assure that these records shall be subject at all reasonable times to inspection, review, or audit by Federal, state, or other personnel duly authorized by the County.

- e. Persons duly authorized by the County and Federal auditors, pursuant to 45 CFR, Part 92.36(l)(10), shall have full access to and the right to examine any of provider's Agreement and related records and documents, regardless of the form in which kept, at all reasonable times for as long as records are retained.
- f. To include these aforementioned audit and record keeping requirements in all approved subcontracts and assignments.

16. MONITORING

To permit persons duly authorized by the County to inspect any records, papers, documents, facilities, goods, and services of the provider which are relevant to this Agreement, and interview any clients and employees of the provider to assure the County of satisfactory performance of the terms and conditions of this Agreement.

Following such evaluation, the County will deliver to the provider a written report of its findings and will include written recommendations with regard to the provider's performance of the terms and conditions of this Agreement. The provider will correct all noted deficiencies identified by the County within the specified period of time set forth in the recommendations. The provider's failure to correct noted deficiencies may, at the sole and exclusive discretion of the County, result in any one or any combination of the following: (1) the provider being deemed in breach or default of this Agreement; (2) the withholding of payments to the provider by the County; and (3) the termination of this Agreement for cause.

17. TERMINATION

Leon County may terminate this Agreement without cause, by giving the Contractor thirty (30) days written notice of termination. Either party may terminate this Agreement for cause by giving the other party hereto thirty (30) days written notice of termination. The County shall not be required to give Contractor such thirty (30) day written notice if, in the opinion of the County, the Contractor is unable to perform its obligations hereunder, or if in the County's opinion, the services being provided are not satisfactory. In such case, the County may immediately terminate the Agreement by mailing a notice of termination to the Contractor.

18. PUBLIC ENTITY CRIMES STATEMENT

In accordance with Section 287.133, Florida Statutes, Contractor hereby certifies that to the best of his knowledge and belief neither Contractor nor his affiliates has been convicted of a public entity crime. Contractor and his affiliates shall provide the County with a completed public entity crime statement form no later than January 15 of each year this Agreement is in effect. Violation of this section by the Contractor shall be grounds for cancellation of this Agreement by Leon County.

19. UNAUTHORIZED ALIEN(S)

The Contractor agrees that unauthorized aliens shall not be employed nor utilized in the performance of the requirements of this solicitation. The County shall consider the employment or utilization of unauthorized aliens a violation of Section 274A(e) of the Immigration and Naturalization Act (8 U.S.C. 1324a). Such violation shall be cause for unilateral termination of this Agreement by the County.

20. EMPLOYMENT ELIGIBILITY VERIFICATION

- a. Contractor agrees that it will enroll and participate in the federal E-Verify Program for Employment Verification under the terms provided in the "Memorandum of Understanding" governing the program. Contractor further agrees to provide to the County, within thirty days of the effective date of this contract/amendment/extension, documentation of such enrollment in the form of a copy of the E-Verify "Edit Company Profile" screen, which contains proof of enrollment in the E-Verify Program (this page can be accessed from the "Edit Company Profile" link on the left navigation menu of the E-Verify employer's homepage).

- b. Contractor further agrees that it will require each subcontractor that performs work under this contract to enroll and participate in the E-Verify Program within sixty days of the effective date of this contract/amendment/extension or within sixty days of the effective date of the contract between the Contractor and the subcontractor, whichever is later. The Contractor shall obtain from the subcontractor(s) a copy of the "Edit Company Profile" screen indicating enrollment in the E-Verify Program and make such record(s) available to the Agency upon request.
- c. Contractor will utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of: (a) all persons employed during the term of the Agreement by Contractor to perform employment duties within Florida; and (b) all persons (including subcontractors) assigned by Contractor to perform work pursuant to the Agreement.
 - 1) Contractor must use E-Verify to initiate verification of employment eligibility for all persons employed during the term of the Agreement by Contractor to perform employment duties within Florida within 3 business days after the date of hire.
 - 2) Contractor must initiate verification of each person (including subcontractors) assigned by Contractor to perform work pursuant to the Agreement within 60 calendar days after the date of execution of this contract or within 30 days after assignment to perform work pursuant to the Agreement, whichever is later.
- d. Contractor further agrees to maintain records of its participation and compliance with the provisions of the E-Verify program, including participation by its subcontractors as provided above, and to make such records available to the County or other authorized state entity consistent with the terms of the Memorandum of Understanding.
- e. Compliance with the terms of this Employment Eligibility Verification provision is made an express condition of this contract and the County may treat a failure to comply as a material breach of the contract.

21. NON-WAIVER

Failure by the County to enforce or insist upon compliance with any of the terms or conditions of this Agreement or failure to give notice or declare this Agreement terminated shall not constitute a general waiver or relinquishment of the same, or of any other terms, conditions or acts; but the same shall be and remain at all times in full force and effect.

22. DELAY

No claim for damages or any claim other than for an extension of time shall be made or asserted against the County by reason of any delays. The Contractor shall not be entitled to an increase in the contract sum or payment or compensation of any kind from the County for direct, indirect, consequential, impact or other costs, expenses or damages, including but limited to costs of acceleration or inefficiency, arising because of delay, disruption, interference or hindrance from any cause whatsoever, whether such delay, disruption, interference or hindrance be reasonable or unreasonable, foreseeable or unforeseeable, or avoidable or unavoidable; provided, however, that this provision shall not preclude recovery of damages by the Contractor for hindrances or delays due solely to fraud, bad faith, or active interference on the part of the County or its agents. Otherwise, the Contractor shall be entitled only to extensions of the contract time as the sole and exclusive remedy for such resulting delay, in accordance with and to the extent specifically provided above.

23. REVISIONS

In any case where, in fulfilling the requirements of this Agreement or of any guarantee, embraced in or required thereby it is necessary for the Contractor to deviate from the requirements of the bid, Contractor shall obtain the prior written consent of the County.

24. VENUE

Venue for all actions arising under this Agreement shall lie in Leon County, Florida.

25. CONSTRUCTION

The validity, construction, and effect of this Agreement shall be governed by the laws of the State of Florida.

26. CONFLICTING TERMS AND CONDITIONS

In the instance that any other agreement exists concerning the matters herein, then the terms and conditions in this Agreement shall prevail over all other terms and conditions.

ORDER OF PRECEDENCE

1. Agreement
2. Solicitation Document
3. Vendor Response

ATTACHMENTS

- Exhibit A - Solicitation Document
- Exhibit B - Vendor Response
- Exhibit C - Tabulation Sheet

The remainder of this page intentionally left blank.

WHERETO, the parties have set their hands and seals effective the date whereon the last party executes this Agreement.

LEON COUNTY, FLORIDA

M OF TALLAHASSEE, INC.

By: _____
Vincent S. Long
County Administrator

By: _____
President or designee

Printed Name

Date: _____

Title: _____

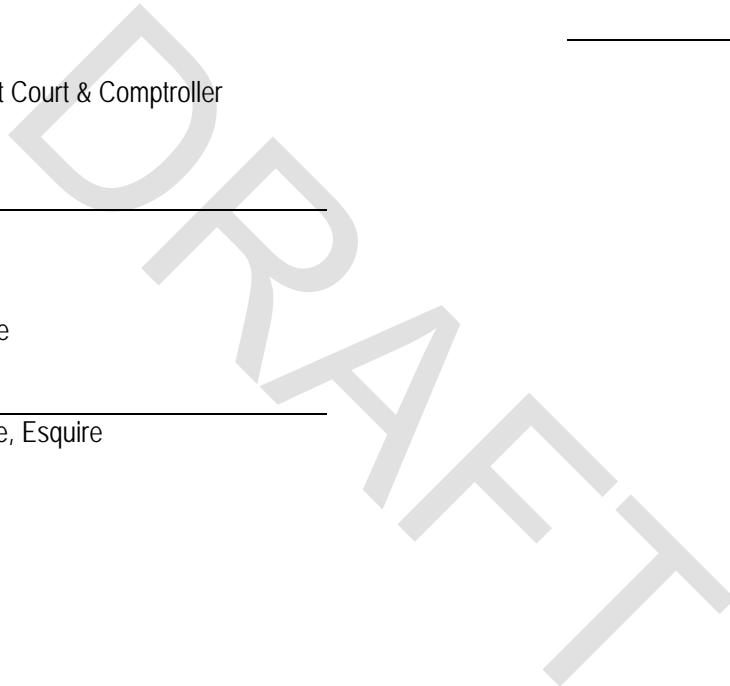
Date: _____

ATTEST:
Bob Inzer, Clerk of the Circuit Court & Comptroller
Leon County, Florida

BY: _____

Approved as to Form:
Leon County Attorney's Office

BY: _____
Herbert W. A. Thiele, Esquire
County Attorney



Bid Title: Old Bainbridge and Pullen Roads Roundabout
Bid No: BC-04-21-16-21
Opening Date: April 21, 2016 at 2:00 PM
Location: 1800-3 N. Blair Stone Road, Tallahassee, Florida 32308

I. INSTRUCTION TO BIDDERS

To Insure Acceptance of Your Bid, Please Follow These Instructions:

1. Items listed on the bid checklist in this form and all other items required within this invitation to bid must be executed and/or submitted in a sealed envelope. Address your sealed envelope as follows:

Bid No. _____
Board of County Commissioners
Leon County Purchasing Division
1800-3 N. Blair Stone Road
Tallahassee, Florida 32308

2. Bid must be typed or printed in ink. All corrections made by the bidder prior to the opening must be initialed and dated by the bidder. No changes or corrections will be allowed after bids are opened.
3. Bid must contain an original, manual signature of an authorized representative of the company.
4. The bid opening shall be public on the date and time specified on the bid. It is the bidder's responsibility to assure that the bid is delivered at the proper time and location. Bids which are received after the bid opening time will be returned unopened to the bidder.
5. Bidders are expected to examine the specifications, delivery schedule, bid prices and extensions and all general and special conditions of the bid prior to submission. In case of error in price extension, the unit price will govern.
6. Special Accommodation: Any person requiring a special accommodation at a Pre-Bid Conference or Bid opening because of a disability should call the Division of Purchasing at (850) 606-1600 at least five (5) workdays prior to the Pre-Bid Conference or Bid opening. If you are hearing or speech impaired, please contact the Purchasing Division by calling the County Administrator's Office using the Florida Relay Service which can be reached at 1(800) 955-8771 (TDD).

NOTE: ANY AND ALL CONDITIONS OR REQUIREMENTS ATTACHED HERETO WHICH VARY FROM THE INSTRUCTIONS TO BIDDERS WILL BE PRECEDENT.

Bid Title: Old Bainbridge and Pullen Roads Roundabout
Bid No: BC-04-21-16-21
Opening Date: April 21, 2016 at 2:00 PM

PURPOSE:

Leon County is seeking the services of a qualified contractor to construct a new Roundabout at the Old Bainbridge Road and Pullen Road intersection.

The Scope of Work to be performed under this unit price bid will include, but is not limited to: excavation, base, sub-base reconstruction and other items necessary to install the roundabout and will also include the installation of curb and gutter, underground stormwater collection system, asphaltic pavement and landscaping in accordance with the plans and specifications developed by Genesis, dated 3/15/16.

A workable Excel spreadsheet of the Unit Pricing may be found at:

<http://cms.leoncountyfl.gov/Home/Departments/Office-of-Financial-Stewardship/Purchasing/Supplemental-Solicitation-Documents>

Working hours would normally be from 9:00 a.m. to 5:00 p.m., Monday through Friday, however, the intersection must be opened to traffic no later than August 14, 2016, and hours on this phase of the job will not be restricted. The contractor may work 24 hours per day including weekends. However, working hours must be coordinated in advance with the County's Construction management Section. Any remaining work after August 14, 2016, will be restricted to normal working hours and will require approval from Construction Management for deviations.

SCHEDULE OF EVENTS

Below in Table 1 is the current schedule of the events that will take place as part of this solicitation. Leon County reserves the right to make changes or alterations to the schedule as the Leon County determines is in the best interests of the public. If any changes to the Schedule of Events are made, Leon County will post the changes on the Leon County website either as a public meeting notice, or as an addendum, as applicable. **It is the responsibility of Registered Planholders and other interested persons and parties to review the Purchasing Division's website to stay informed of the Schedule of Events, addenda issued, and public meetings scheduled.** The website addresses follow:

Addenda: <http://www.leoncountyfl.gov/procurementconnect/>

Public Meetings: <http://www.leoncountyfl.gov/procurementconnect/>

Table 1 - Schedule of Events	
Date and Time (all eastern time)	Event
March 21, 2016	Release of the ITB
April 6, 2016 at 10:00 AM	MANDATORY PRE-BID MEETING: Date and time a mandatory pre-bid meeting will be held at Leon County Purchasing's offices, located at 1800-3 North Blair Stone Road, Tallahassee, FL 32308.
April 11, 2016 at 5:00 PM	QUESTIONS/INQUIRIES DEADLINE: Date and time by which questions and inquiries regarding the ITB must be received by Leon County.
April 21, 2016 at 2:00 PM	BID SUBMISSION DUE DATE/OPENING OF TECHNICAL RESPONSE: Date and time by which Bid Submissions must be received by the Leon County Purchasing Division, located at 1800-3 North Blair Stone Road, Tallahassee, FL 32308.

Bid Title: Old Bainbridge and Pullen Roads Roundabout
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BID INFORMATION AND CLARIFICATION:

Questions pertaining to bid procedures or regarding the specifications should be addressed to Shelly Kelley and Don Tobin, phone(850) 606-1600; fax (850) 606-1601; E-mail kelleys@leoncountyfl.gov and tobind@leoncountyfl.gov. **Bidders are requested to send such requests to both representatives of the Purchasing Division.** Email inquiries are preferred.

Each Bidder shall examine the solicitation documents carefully; and, no later than seven days prior to the date for receipt of bids, he shall make a written request to the County for interpretations or corrections of any ambiguity, inconsistency or error which he may discover. All interpretations or corrections will be issued as addenda. The County will not be responsible for oral clarifications. No negotiations, decisions or actions shall be initiated or executed by the proposer as a result of any discussions with any County employee prior to the opening of proposals. Only those communications which are in writing from the County may be considered as a duly authorized expression on the behalf of the Board. Also, only communications from firms which are in writing and signed will be recognized by the Board as duly authorized expressions on behalf of proposers.

ADDENDA TO SPECIFICATIONS

If any addenda are issued after the initial specifications are released, the County will post the addenda on the Leon County website at: <http://www.leoncountyfl.gov/procurementconnect/>. For those projects with separate plans, blueprints, or other materials that cannot be accessed through the internet, the Purchasing Division will make a good faith effort to ensure that all registered bidders (those who have been registered as receiving a bid package) receive the documents. It is the responsibility of the bidder prior to submission of any bid to check the above website or contact the Leon County Purchasing Division at (850) 606-1600 to verify any addenda issued. The receipt of all addenda must be acknowledged on the bid response sheet.

PROHIBITED COMMUNICATIONS

Any Form of communication, except for written correspondence with the Purchasing Division requesting clarification or asking questions, shall be prohibited regarding a particular request for proposal, request for qualification, bid, or any other competitive solicitation between:

1. Any person or person-s representative seeking an award from such competitive solicitation; and
2. Any County Commissioner or Commissioner-s staff, or any county employee authorized to act on behalf of the Commission to award a particular contract.

For the purpose of this section, a person-s representative shall include, but not be limited to, the person-s employee, partner, officer, director, consultant, lobbyist, or any actual or potential subcontractor or consultant of the person.

The prohibited communication shall be in effect as of the release of the competitive solicitation and terminate at the time the Board, or a County department authorized to act on behalf of the Board, awards or approves a contract, rejects all bids or responses, or otherwise takes action which ends the solicitation process.

The provisions of this section shall not apply to oral communications at any public proceeding, including pre-bid conferences, oral presentations before selection committees, contract negotiations during any public meetings, presentations made to the Board, and protest hearings. Further, the provisions of this section shall not apply to contract negotiations between any employee and the intended awardee, any dispute resolution process following the filing of a protest between the person filing the protest and any employee, or any written correspondence with any employee, County Commissioner, or decision-making board member or selection committee member, unless specifically prohibited by the applicable competitive solicitation process.

The penalties for an intentional violation of this article shall be those specified in *125.69(1), Florida Statutes, as amended, and shall be deemed supplemental to the penalties set forth in Section 1-9 of the Code of Laws, Leon County, Florida.

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REGISTRATION:

Bidders obtain solicitation documents from sources other than the Leon County Purchasing Division MUST officially register with the County Purchasing Division in order to be placed on the planholders list for the solicitation. Bidders should be aware that solicitation documents obtained from sources other than those listed above may be drafts, incomplete, or in some other fashion different from the official solicitation document(s). Failure to register through the Purchasing Division may cause your submittal to be rejected as non-responsive.

CONTRACTOR'S QUALIFICATIONS

The Primary Contractor must be certified by the Florida Department of transportation in the major area of work as well all Roadway Construction Contractors and Stormwater Conveyance Contractors used on the project shall possess a current and valid FDOT Certificate of Qualifications. Copies of both the contractor's, and any proposed subcontractors' Certificate of Qualifications shall be submitted to Leon County concurrent with bid. Failure to demonstrate FDOT certification in the fashion described will result in the rejection of bid.

PREPARATION AND SUBMISSION OF BID:

Each Bidder shall submit Bid Prices and other requested information, including alternates or substitutions if allowed by this invitation to bid, on the proper forms and in the manner herein prescribed. Any erasures or other corrections in the Bid must be explained or noted over the signature of the Bidder. Bids containing any conditions or irregularities of any kind may be rejected by the County. All bids must be submitted in a sealed envelope or other appropriate container. Facsimiles will not be accepted. It is the intention of the County to award this bid based on the low total bid price and/or other criteria herein contained meeting all specifications.

REJECTION OF BIDS:

The County reserves the right to reject any and/or all bids when such rejection is in the best interest of the County.

RECEIPT AND OPENING OF BIDS:

Bids will be opened publicly at the time and place stated in the Invitation to Bid. The person whose duty it is to open them will decide when the specified time has arrived and no bids received thereafter will be considered. No responsibility shall be attached to any person for the premature opening of a Bid not properly addressed and identified. At the time fixed for the opening of bids, the bids will be made public and posted on the Purchasing Division website at: <http://www.leoncountyfl.gov/procurementconnect/>. A bidder may request, in their bid submittal, a copy of the tabulation sheet to be mailed in a bidder provided, stamped self-addressed envelope for their record.

Sealed bids, proposals, or replies received by the County pursuant to a competitive solicitation are exempt from public records requirements until such time as the County posts an intended decision or until 30 days after opening of the documents, whichever is earlier.

WITHDRAWAL OF BIDS:

Bids may be withdrawn by written or telegraphic request received from Bidders prior to the time fixed for opening. Negligence on the part of the Bidder in preparing the Bid confers no right for the withdrawal of the bid after it has been opened.

AWARD OF BIDS/BID PROTEST:

The bid will be awarded to the lowest responsive, responsible bidder, unless otherwise stated elsewhere in this document. The County reserves the right to waive any informality in bids and to award a bid in whole or in part when either or both conditions are in the best interest of Leon County.

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Notice of the Intended Decision will be posted on the Leon County website at: <http://www.leoncountyfl.gov/procurementconnect/> for a period of seventy-two (72) consecutive hours, which does not include weekends or County observed holidays. Failure to file a protest within the time prescribed in Leon County Policy No. 96-1, Purchasing and Minority, Women and Small Business Enterprise Policy, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings. Notice of intent of bid protest shall be made in writing to the Purchasing Director, 1800-3 N. Blair Stone Road, Tallahassee, Florida 32308. The bidder shall be responsible for inquiring as to any and all award recommendation/postings.

Should concerns or discrepancies arise during the bid process, bidders are encouraged to contact the Purchasing Division prior to the scheduled bid opening. Such matters will be addressed and/or remedied prior to a bid opening or award whenever practically possible. Bidders are not to contact departments or divisions regarding the bidder complaint.

PLANHOLDERS

As a convenience to bidders, Leon County has made available via the internet lists of all registered planholders for each bid or request for proposals. The information is available on-line at: <http://www.leoncountyfl.gov/procurementconnect/> by simply clicking the planholder link at the bottom of the list of documents for each respective solicitation. A listing of the registered bidders with their telephone and fax numbers is designed to assist bidders in preparation of their responses.

BID GUARANTEE:

Bids shall be accompanied by a 5% bid guarantee which shall be a Bid Bond, Certified or Cashier's Check or Bank Draft (no cash, company, or personal checks will be accepted), made payable to the Board of County Commissioners, Leon County, Florida. Such check, bank draft, or bond shall be submitted with the understanding that the bonds will be held until award of bid.

The County reserves the right to hold the Bid Guarantee until after a contract has been entered into or a purchase order has been executed. The accepted Bidders bid bond will be held until execution of this contract and may be forfeited due to non-performance.

The check or bond shall be submitted with the understanding that it shall guarantee that the Bidder will not withdraw his bid for a period of 90 days after the scheduled closing time for the receipt of bids. It shall also guarantee that the successful bidder will enter into a contract within ten (10) days after he has received notice of acceptance of his bid. In the event of withdrawal of bid, or failure to enter into and fully execute the contract within ten (10) days the contractor may be deemed in to be in default. In such an event, the contractor shall be liable to the County for the full amount of the default.

OCCUPATIONAL LICENSES AND REGISTRATIONS:

The contractor shall be responsible for obtaining and maintaining throughout the contract period any required occupational license and other licenses required pursuant to the laws of Leon County, the City of Tallahassee, or the State of Florida. The bidder shall submit with the bid a copy of the company's local business or occupational license(s) or a written statement on letterhead indicating the reason no license exists.

If the bidder is operating under a fictitious name as defined in Section 865.09, Florida Statutes, proof of current registration with the Florida Secretary of State shall be submitted with the bid. A business formed by an attorney actively licensed to practice law in this state, by a person actively licensed by the Department of Business and Professional Regulation or the Department of Health for the purpose of practicing his or her licensed profession, or by any corporation, partnership, or other commercial entity that is actively organized or registered with the Department of State shall submit a copy of the current licensing from the appropriate agency and/or proof of current active status with the Division of Corporations of the State of Florida or such other state as applicable.

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Failure to provide the above required documentation may result in the bid being determined as non-responsive.

UNAUTHORIZED ALIEN(S)

The Contractor agrees that unauthorized aliens shall not be employed nor utilized in the performance of the requirements of this solicitation. The County shall consider the employment or utilization of unauthorized aliens a violation of Section 274A(e) of the Immigration and Naturalization Act (8 U.S.C. 1324a). Such violation shall be cause for unilateral termination of this Agreement by the County. As part of the response to this solicitation, please complete and submit the attached form **AFFIDAVIT CERTIFICATION IMMIGRATION LAWS**.

MINORITY and WOMEN BUSINESS ENTERPRISE AND EQUAL OPPORTUNITY POLICIES

A. Minority Business Enterprise (MBE) and Women (WBE) Business Enterprise Requirements

1. The purpose of the Minority and Women-Owned Business Enterprise (MWBE) Program is to effectively communicate Leon County procurement and contracting opportunities, through enhanced business relationships, to end disparity and to increase participation opportunities for certified minority and women-owned business enterprises in a competitive environment. This program shall:
 - a. Eliminate any policies and/or procedural barriers that inhibit MBE and WBE participation in our procurement process.
 - b. Established targets designed to increase MBE and WBE utilization proportionate to documented under utilization.
 - c. Provide increased levels of information and assistance available to MBE-s and WBEs.
 - d. Implement mechanisms and procedures for monitoring MBE and WBE compliance by prime contractors.
2. The term **Certified Minority Women Business Enterprise** (MWBE) is defined as Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) firms certified by Leon County or the City of Tallahassee. Some firms with MBE or WBE certification by the State of Florida may be accepted under a reciprocal agreement but those from other governmental organizations are not accepted by Leon County.
3. Each Respondent is strongly encouraged to secure MBE and WBE participation through purchase(s) of those goods or services to be provided by others. Firms responding to this bid are hereby made aware of the County's targets for MBE and WBE utilization. Respondents that require assistance or guidance with these MBE or WBE requirements should contact: Shanea Wilks, Leon County Minority, Women, and Small Business Enterprise Director, by telephone at (850) 606-1650; fax (850) 606-1651 or by e-mail wilkssh@leoncountyfl.gov.

Respondent **must complete** and submit the attached Minority and Women Business Enterprise Participation Plan form. Failure to submit the completed Minority and Women Business Enterprise Participation Plan form may result in a determination of non-responsiveness for the bid.

If the aspirational target is not met, you must denote your good faith effort on the Participation Plan Form. All respondents, including MBE-s, and WBE-s shall either meet the aspirational target(s), or if not met, demonstrate in their bid response that a good faith effort was made to meet the aspirational target(s). Failure to complete such good faith effort statement may result in the bid being non-responsive. Below, are policy examples of good faith efforts that respondents can use if they are not meeting the aspirational target. These examples can be used to demonstrate the good faith effort.

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- 2) Hispanic Americans - All persons (Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race) reared in a Hispanic environment and whose surname is Hispanic and having community identification as such.
- 3) Asian American - All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands and having community identification as such.
- 4) American Indians, Alaskan Natives and American Aleuts - All persons having origins in any of the original people of North America, maintaining identifiable tribal affiliations through membership and participation and having community identification as such.

c. Women - American Woman

6. Prime contractors will negotiate in good faith with interested MWBE-s, not rejecting a MWBE as unqualified or unacceptable without sound business reasons based on a through investigation of their capabilities. **The basis for rejecting any MWBE deemed unqualified or unacceptable by the Prime Contractor shall be included in the Good Faith Effort documentation.** The Prime Contractor shall not impose unrealistic conditions of performance on MWSBE-s seeking subcontracting opportunities.
7. Leon County reserves the right to request supporting documentation as evidence of good faith efforts indicated above at any time. Failure to provide supporting documentation when requested shall deem your bid/proposal as non-responsive.

B. Equal Opportunity/Affirmative Action Requirements

The contractors and all subcontractors shall agree to a commitment to the principles and practices of equal opportunity in employment and to comply with the letter and spirit of federal, state, and local laws and regulations prohibiting discrimination based on race, color, religion, national origin, sex, age, handicap, marital status, and political affiliation or belief.

For federally funded projects, in addition to the above, the contractor shall agree to comply with Executive Order 11246, as amended, and to comply with specific affirmative action obligations contained therein.

In addition to completing the Equal Opportunity Statement, the Respondent shall include a copy of any affirmative action or equal opportunity policies in effect at the time of submission.

LOCAL PREFERENCE IN PURCHASING AND CONTRACTING

1. Preference in bidding. In purchasing of, or letting of contracts for procurement of, personal property, materials, contractual services, and construction of improvements to real property or existing structures in which pricing is the major consideration, the authorized purchasing authority of Leon County may give a preference to local businesses in making such purchase or awarding such contract, as follows:
 - a) Individuals or firms which have a home office located within Leon, Gadsden, Wakulla, or Jefferson County, and which meet all of the criteria for a local business as set forth in this article, shall be given a preference in the amount of five percent of the bid price.
 - b) Individuals or firms which do not have a home office located within Leon, Gadsden, Wakulla, or Jefferson County, and which meet all of the criteria for a local business as set forth in this article, shall be given a preference in the amount of three percent of the bid price.

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The maximum cost differential shall not exceed \$20,000.00. Total bid price shall include the base bid and all alternatives or options to the base bids which are part of the bid and being recommended for award by the appropriate authority.

2. Preference in bidding for construction services in projects estimated to exceed \$250,000. Except where otherwise prohibited by federal or state law or other funding source restrictions, in the purchasing of, or letting of contracts for procurement of construction services for improvements to real property or existing structures that are estimated to exceed \$250,000 in value, the County may give preference to local businesses in the following manner:
 - a) Under a competitive bid solicitation, when the lowest responsive and responsible bid is submitted by an individual or firm that is not a local business, then the local business that submitted the lowest responsive and responsible bid shall be offered the opportunity to perform the work at the lowest bid amount, if that local business's bid was not greater than 110% of the lowest responsive and responsible bid amount.
 - b) All contractual awards issued in accordance with the provisions of this subsection (paragraph 2) shall contain aspirational trade contractor work targets, based on market and economic factors, of 85 percent as follows: The successful individuals or firms shall agree to engage not less than 85 percent of the dollar value of trade contractor work with local businesses unless the successful individuals or firms prove to the County's satisfaction, that the trade contractor work is not available locally with the Leon, Gadsden, Wakulla or Jefferson County area. The term "trade contractor" shall mean a subcontractor who contracts with the prime contractor and whose primary activity is performing specific activities (e.g., pouring concrete, masonry, site preparation, framing, carpentry, dry wall installation, electrical, plumbing, painting) in a construction project but is not responsible for the entire project.
3. Local business definition. For purposes of this section, "local business" shall mean a business which:
 - a) Has had a fixed office or distribution point located in and having a street address within Leon, Gadsden, Wakulla, or Jefferson County for at least six (6) months immediately prior to the issuance of the request for competitive bids or request for proposals by the County; and
 - b) Holds any business license required by the County, and, if applicable, the City of Tallahassee; and
 - c) Is the principal offeror who is a single offeror; a business which is the prime contractor and not a subcontractor; or a partner or joint venturer submitting an offer in conjunction with other businesses.
3. Certification. Any bidder claiming to be a local business as defined, shall so certify in writing to the Purchasing Division. The certification shall provide all necessary information to meet the requirements of above. The Local Vendor Certification Form is enclosed. The purchasing agent shall not be required to verify the accuracy of any such certifications, and shall have the sole discretion to determine if a bidder meets the definition of a "local business."

INSURANCE:

Bidders' attention is directed to the insurance requirements below. Bidders should confer with their respective insurance carriers or brokers to determine in advance of bid submission the availability of insurance certificates and endorsements as prescribed and provided herein. The Insurance Certification Form attached hereto is to be completed and submitted as part of your bid response. If an apparent low bidder fails to comply strictly with the insurance requirements, that bidder may be disqualified from award of the contract.

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Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Contractor-s bid.

1. Minimum Limits of Insurance. Contractor shall maintain limits no less than:
 - a. General Liability: \$1,000,000 Combined Single Limit for bodily injury and property damage per occurrence with a \$2,000,000 annual aggregate. Completed operations coverage will be provided for a period of three (3) years beyond termination and/or completion of the project. Coverage must include bodily injury and property damage, including Premise/Operations: a per location aggregate, Broad Form Contractual liability; Broad Form Property Damage; Fire Legal liability; Independent Contractors coverage; Cross Liability & Severability of Interest Clauses; and Personal Injury (deleting employee and contractual exclusions), and coverage for explosion, collapse, and underground (X,C,U).
 - b. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage. (Non-owned, Hired Car).
 - c. Workers- Compensation and Employers Liability: Workers- Compensation insurance covering all employees and meeting statutory requirements in compliance with the applicable state and federal laws and Employer-s Liability with a limit of \$500,000 per accident, \$500,000 disease policy limit, \$500,000 disease each employee. Waiver of Subrogation in lieu of Additional Insured is required.

2. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

3. Other Insurance Provisions The policies are to contain, or be endorsed to contain, the following provisions:

- a. General Liability and Automobile Liability Coverages (County is to be named as Additional Insured).
 1. The County, its officers, officials, employees and volunteers are to be covered as insureds as respects; liability arising out of activities performed by or on behalf of the Contractor, including the insured-s general supervision of the Contractor; products and completed operations of the Contractor; premises owned, occupied or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protections afforded the County, its officers, officials, employees or volunteers.
 2. The Contractor-s insurance coverage shall be primary insurance as respects the County, it officers, officials, employees and volunteers. Any insurance of self-insurance maintained by the County, its officers, officials, employees or volunteers shall be excess of the Contractor-s insurance and shall not contribute with it.
 3. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the county, its officers, officials, employees or volunteers.
 4. The Contractor-s insurance shall apply separately to each insured against whom claims is made or suit is brought, except with respect to the limits of the insurer-s liability.

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b. All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days- prior written notice by certified mail, return receipt requested, has been given to the County.

4. Acceptability of Insurers. Insurance is to be placed with insurers with a Best-s rating of no less than A:VII.
5. Verification of Coverage. Contractor shall furnish the County with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the County before work commences. The County reserves the right to require complete, certified copies of all required insurance policies at any time. Certificates of Insurance acceptable to the County shall be filed with the County prior to the commencement of the work. These policies described above, and any certificates shall specifically name the County as an additional Insured and shall contain a provision that coverage afforded under the policies will not be canceled until at least thirty (30) days prior to written notice has been given to the County.

Cancellation clauses for each policy should read as follows: *Should any of the above described policies be canceled before the expiration date thereof, the issuing company will mail thirty (30) days written notice to the Certificate Holder named herein.*

6. Subcontractors. Contractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

AGREEMENT:

After the bid award, the County will, at its option, prepare a purchase order or an agreement specifying the terms and conditions resulting from the award of this bid. Every procurement of contractual services shall be evidenced by a written agreement. The bidder will have five calendar days after receipt to acknowledge the purchase order or execute the agreement.

The performance of Leon County of any of its obligations under the purchase order or agreement shall be subject to and contingent upon the availability of funds lawfully expendable for the purposes of the purchase order or agreement for the current and any future periods provided for within the bid specifications.

PUBLIC ENTITY CRIMES STATEMENT:

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list. By submission of a proposal in response to this document, the vendor certifies compliance with the above requirements as stated in Section 287.133, Florida Statutes.

MANUFACTURERS' NAME AND APPROVED EQUIVALENTS:

Manufacturers' names, trade names, brand names, information and/or catalog numbers listed in a specification are for information and not intended to limit competition. The bidder may offer any brand for which he is an authorized representative, which meets or exceeds the specifications for any item(s). If bids are based on

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equivalent products, indicate on the bid form the manufacturer's name and catalog number. Bidder shall submit with his bid, cuts, sketches, and descriptive literature and/or specifications. The bidder should also explain in detail the reason(s) why and submit proof that the proposed equivalent will meet the specifications and not be considered an exception thereto. The Leon County Board of County Commissioners reserves the right to be the sole judge of what is equal and acceptable. Bids which do not comply with these requirements are subject to rejection. If Bidder fails to name a substitute it will be assumed that he is bidding on, and he will be required to furnish goods identical to bid standard.

IDENTICAL TIE BIDS:

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids which are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. Bidder must complete and submit as part of the bid response the attached IDENTICAL TIE BID form. Failure to submit a completed form may result in the bid being determined as non-responsive.

ETHICAL BUSINESS PRACTICES

- A. Gratuities. It shall be unethical for any person to offer, give, or agree to give any County employee, or for any County employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or performing in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, subcontract, or to any solicitation or proposal therefor.
- B. Kickbacks. It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.
- C. The Board reserves the right to deny award or immediately suspend any contract resulting from this proposal pending final determination of charges of unethical business practices. At its sole discretion, the Board may deny award or cancel the contract if it determines that unethical business practices were involved.

II. CONTRACT PROVISIONS

PAYMENT AND PERFORMANCE BOND

A Payment and Performance Bond in the amount of 100% of the estimated project cost shall be supplied by the Contractor at the time of Agreement execution. Also, a Payment and Material Bond for the Agreement amount shall be supplied by the Contractor at the same time.

Payment and Performance and Material Bonds shall provide that, in the event of non-performance on the part of the Contractor the bond can be presented for honor and acceptance at an authorized representative or institution located in Tallahassee, Florida. The Payment and Performance Bond shall be in the following form:

PUBLIC CONSTRUCTION BOND
Bond No.(enter bond number)

BY THIS BOND, We _____, as Principal and a corporation, as Surety, are bound to _____, herein called Owner, in the sum of \$ _____, for payment of which we bind ourselves, our heirs, personal representatives, successors, and assigns, jointly and severally.

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THE CONDITION OF THIS BOND is that if Principal:

1. Performs the contract dated _____, between Principal and Owner for construction of _____, the contract being made a party of this bond by reference, at the time and in the manner prescribed in the contract; and
2. Promptly makes payments to all claimants, as defined in Section 255.05(1), Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the contract; and
3. Pays Owner all losses, damages, expenses, costs, and attorney-s fees, including appellate proceedings, that Owner sustains because of a default by Principal under the contract; and
4. Performs the guarantee of all work and materials furnished under the contract for the time specified in the contract, then this bond is void; otherwise it remains in full force.

Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes.

Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety-s obligation under this bond.

DATED on this the _____ day of _____, 2013.

(Name of Principal)

By:

(As Attorney-In-Fact)

(Name of Surety)

Payment bonds executed as a result of the requirements herein by a surety shall make reference to Section 255.05, Florida Statutes, by number and shall contain reference to the notice and time limitation provisions in Section 255.05, Florida Statutes.

TIME AND LIQUIDATED DAMAGES

The work to be performed under this contract shall be commenced within fifteen (15) days of the Notice to Proceed. All work to be performed under this Contract shall be completed within one hundred twenty (120) consecutive calendar days of the Notice to Proceed. If the work to be performed under this Contract is not completed within the time set forth above, or within such extra time as may be granted by the County, the Contractor shall be deemed to be in default. For each day the Contractor is in default, the Contractor or its Surety shall pay to the County, not as a penalty, but as liquidated damages an amount set based on the bid price and according to Section 8-10 of the FDOT's Standard Specifications for Road and Bridge Construction, 2016 Edition.

Permitting the Contractor to continue and finish the work or any part of it after the expiration of the contract time allowed, including extensions, if any, shall in no way act as a waiver on the part of County of the liquidated damages due under the contract.

EMPLOYMENT ELIGIBILITY VERIFICATION

1. Contractor agrees that it will enroll and participate in the federal E-Verify Program for Employment Verification under the terms provided in the Memorandum of Understanding governing the program. Contractor further agrees to provide to the County, within thirty days of the effective date of this

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contract/amendment/extension, documentation of such enrollment in the form of a copy of the E-Verify [Edit Company Profile](#) screen, which contains proof of enrollment in the E-Verify Program (this page can be accessed from the [Edit Company Profile](#) link on the left navigation menu of the E-Verify employer's homepage).

2. Contractor further agrees that it will require each subcontractor that performs work under this contract to enroll and participate in the E-Verify Program within sixty days of the effective date of this contract/amendment/extension or within sixty days of the effective date of the contract between the Contractor and the subcontractor, whichever is later. The Contractor shall obtain from the subcontractor(s) a copy of the [Edit Company Profile](#) screen indicating enrollment in the E-Verify Program and make such record(s) available to the Agency upon request.
3. Contractor will utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of: (a) all persons employed during the term of the Agreement by Contractor to perform employment duties within Florida; and (b) all persons (including subcontractors) assigned by Contractor to perform work pursuant to the Agreement.
 - a. Contractor must use E-Verify to initiate verification of employment eligibility for all persons employed during the term of the Agreement by Contractor to perform employment duties within Florida within 3 business days after the date of hire.
 - b. Contractor must initiate verification of each person (including subcontractors) assigned by Contractor to perform work pursuant to the Agreement within 60 calendar days after the date of execution of this contract or within 30 days after assignment to perform work pursuant to the Agreement, whichever is later.
4. Contractor further agrees to maintain records of its participation and compliance with the provisions of the E-Verify program, including participation by its subcontractors as provided above, and to make such records available to the County or other authorized state entity consistent with the terms of the Memorandum of Understanding.
5. Compliance with the terms of this Employment Eligibility Verification provision is made an express condition of this contract and the County may treat a failure to comply as a material breach of the contract.

CONSTRUCTION SITE SIGNAGE

Contractor shall provide appropriate construction site signage to be placed at a site approved in advance by the County Project manager. Sign is to be diagrammed by the contractor with approval of a proof to be made by the Director of Facilities Management prior to being ordered or erected. Signage shall meet the following specifications:

The sign will be made from a 4 ft. x 8 ft. sheet of 3/4 inch exterior grade BC plywood. The plywood shall be painted with White Enamel Gloss. The temporary sign shall be mounted on 4x4 pressure treated posts with a minimum of 2 feet of burial, and 6 feet of exposed height for maximum visibility.

Lettering shall be a non-serif block print in black type. Any logos used must have prior written consent for use of the respective entities. The sign content shall consist of the following:

- 1) Leon County project name
- 2) Leon County Seal
- 3) Names and District of each of the Leon County Board Of County Commissioner with the Chairman and Vice Chairman appropriately identified
- 4) Name of County Administrator and County Attorney
- 5) Name of Director of Facilities Management & Construction
- 6) Name of General Contractor with major subcontractors
- 7) Name of Architect with consultants

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8) Name and logo of major material manufacturers (where appropriate and approved by County)

PAYMENTS TO THE GENERAL CONTRACTOR

Payments to the Contractor shall be made according to the requirements of the Local Government Prompt Payment Act, sections 218.70 - 218.79, Florida Statutes.

STATUS

The Contractor shall at all times, relevant to this contract, be an independent contractor and in no event shall the Contractor, nor any employees or sub-contractors under it, be considered to be employees of Leon County.

AUDITS, RECORDS, AND RECORDS RETENTION

The Contractor agrees:

1. To establish and maintain books, records, and documents (including electronic storage media) in accordance with generally accepted accounting procedures and practices, which sufficiently and properly reflect all revenues and expenditures of funds provided by the County under this contract.
2. To retain all client records, financial records, supporting documents, statistical records, and any other documents (including electronic storage media) pertinent to this contract for a period of five (5) years after termination of the contract, or if an audit has been initiated and audit findings have not been resolved at the end of five (5) years, the records shall be retained until resolution of the audit findings or any litigation which may be based on the terms of this contract.
3. Upon completion or termination of the contract and at the request of the County, the Contractor will cooperate with the County to facilitate the duplication and transfer of any said records or documents during the required retention period as specified in paragraph 1 & 2 above.
4. To assure that these records shall be subject at all reasonable times to inspection, review, or audit by Federal, state, or other personnel duly authorized by the County.
5. Persons duly authorized by the County and Federal auditors, pursuant to 45 CFR, Part 92.36(l)(10), shall have full access to and the right to examine any of provider-s contract and related records and documents, regardless of the form in which kept, at all reasonable times for as long as records are retained.
6. To include these aforementioned audit and record keeping requirements in all approved subcontracts and assignments.

MONITORING

To permit persons duly authorized by the County to inspect any records, papers, documents, facilities, goods, and services of the provider which are relevant to this contract, and interview any clients and employees of the provider to assure the County of satisfactory performance of the terms and conditions of this contract.

Following such evaluation, the County will deliver to the provider a written report of its findings and will include written recommendations with regard to the provider-s performance of the terms and conditions of this contract. The provider will correct all noted deficiencies identified by the County within the specified period of time set forth in the recommendations. The provider-s failure to correct noted deficiencies may, at the sole and exclusive discretion of the County, result in any one or any combination of the following: (1) the provider being deemed in breach or default of this contract; (2) the withholding of payments to the provider by the County; and (3) the termination of this contract for cause.

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RIGHT TO INSPECT PLANT

The County may, at its discretion, inspect the part of the plant or place of business of a contractor or any subcontractor which is related to the performance of any contract awarded, or to be awarded, by Leon County. The right expressed herein shall be included in all contracts or subcontracts that involve the performance of any work or service involving Leon County.

TERMINATION

The County may terminate this Agreement without cause, by giving the Contractor thirty (30) days written notice of termination. Either party may terminate this Agreement for cause by giving the other party hereto thirty (30) days written notice of termination. The County shall not be required to give Contractor such thirty (30) day written notice if, in the opinion of the County, the Contractor is unable to perform its obligations hereunder, or if thin the County-s opinion, the services being provided are not satisfactory. In such case, the County may immediately terminate the Agreement by mailing a notice of termination to the Contractor.

This Agreement may be terminated by the County if the Contractor is found to have submitted a false certification as required under section 215.471 (5), Florida Statutes, been placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or been engaged in business operations in Cuba or Syria.

WARRANTIES:

Bidder will warrant title to all goods sold as provided for in Section 672, Florida Statutes.

WORK

Contractor understands that no amount of work is guaranteed to it nor is the County under an obligation to utilize the services of the Contractor in those instances where the work to be performed can be done by County personnel or under separate contract. Any work to be performed shall be upon the written request of the County Administrator or his representative, which request shall set forth the commencing date of such work and the time within which such work shall be completed.

PERMITS

The Contractor shall pay for and obtain all necessary permits as required by law not specifically identified by Leon County.

CONFLICTING TERMS AND CONDITIONS

In the instance that terms, conditions, specifications, or other instruments are provided by architects, engineers, or persons other than County Procurement concerning the matters herein, then the terms and conditions in this Solicitation document shall prevail over all other terms and conditions.

ASSIGNMENT

This contract shall not be assigned or sublet as a whole or in part without the written consent of the County, nor shall the Contractor assign any monies due or to become due to him hereunder without the previous written consent of the County.

INDEMNIFICATION

The Contractor agrees to indemnify and hold harmless the County, its officials, officers and employees, from and against any and all liabilities, damages, losses and costs, including, but not limited to reasonable attorney-s fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the Contractor and persons employed or utilized by the Contractor in the performance of this agreement.

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The County may, at its sole option, defend itself or required the Contractor to provide the defense. The Contractor acknowledges that the sum of ten dollars (\$10.00) of the amount paid to the Contractor constitutes sufficient consideration for the Contractor's indemnification of the County, its officials, officers and employees.

It is understood that the Contractors responsibility to indemnify and defend the County, it officials, officers and employees is limited to the Contractors proportionate share of liability caused by the negligent acts or omissions of the Contractor, its delegates, agents or employees.

PENALTIES:

BIDS MAY BE REJECTED AND/OR Bidder(S) DISQUALIFIED FOR THE FOLLOWING REASONS:

1. Consistent failure to respond to bid invitation for three (3) consecutive instances.
2. Failure to update the information on file including address, product, service or business descriptions.
3. Failure to perform according to contract provisions.
4. Conviction in a court of law of any criminal offense in connection with the conduct of business.
5. Clear and convincing evidence of a violation of any federal or state anti-trust law based on the submission of bids or proposals, or the awarding of contracts.
6. Clear and convincing evidence that the bidder has attempted to give a Board employee a gratuity of any kind for the purpose of influencing a recommendation or decision in connection with any part of the Board's purchasing activity.
7. Other reasons deemed appropriate by the Board of County Commissioners.

ATTACHMENTS

- | | |
|---------------|---|
| Attachment #1 | Technical Specifications |
| Attachment #2 | City of Tallahassee Gas Relocation Schedule |
| Attachment #3 | Utility Work Schedule for Century Link – Telephone |
| Attachment #4 | Leon County/City of Tallahassee Joint Project Agreement |
| Attachment #5 | Plans |
| Attachment #6 | Unit Price Sheet |
| Attachment #7 | City Utility Schedule and Wastewater Technical Specifications |

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BID CHECKLIST:

Please submit the items on the following list and any other items required by any section of this invitation for bids. The checklist is provided as a courtesy and may not be inclusive of all items required within this invitation for bids.

- Completed Bid Response Sheet with Manual Signature
- Affidavit Immigration Laws
- Minority/Women Business Enterprise Participation Plan/Good Faith Statement
- Identical Tie Bid Statement
- Insurance Certification Form
- Contractor-s Business Information Form
- Non Collusion Affidavit
- Certification/Debarment Form
- Applicable Licenses/Registrations
- Certification of Trades

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BID RESPONSE SHEET

The Board of County Commissioners, Leon County, reserves the right to accept or reject any and/or all bids in the best interest of Leon County.

Shelly W. Kelley
Purchasing Director

Bill Proctor
Chairman

This proposal is submitted by the below named firm/individual by the undersigned authorized representative.

	(Firm Name)
BY	_____
	(Authorized Representative)

	(Printed or Typed Name)
ADDRESS	_____

EMAIL ADDRESS	_____
TELEPHONE	_____
FAX	_____

ADDENDA ACKNOWLEDGMENTS: (IF APPLICABLE)

Addendum #1 dated _____ Initials
Addendum #2 dated _____ Initials
Addendum #3 dated _____ Initials

BASE BID TOTAL FROM UNIT PRICE SHEET: _____

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ORIGINAL

BID RESPONSE SHEET

The Board of County Commissioners, Leon County, reserves the right to accept or reject any and/or all bids in the best interest of Leon County.

Shelly W. Kelley
Purchasing Director

Bill Proctor
Chairman

This proposal is submitted by the below named firm/individual by the undersigned authorized representative.

BY M OF TALLAHASSEE, INC.
(Firm Name)

H. M. NLO
(Authorized Representative)

HENRY MAYFIELD, VICE PRESIDENT
(Printed or Typed Name)

ADDRESS 4223 CAPITAL CIRCLE NW
TALLAHASSEE, FL 32303

EMAIL ADDRESS hmayfield@mofallahassee.net

TELEPHONE 850-562-1022

FAX 850-562-8151

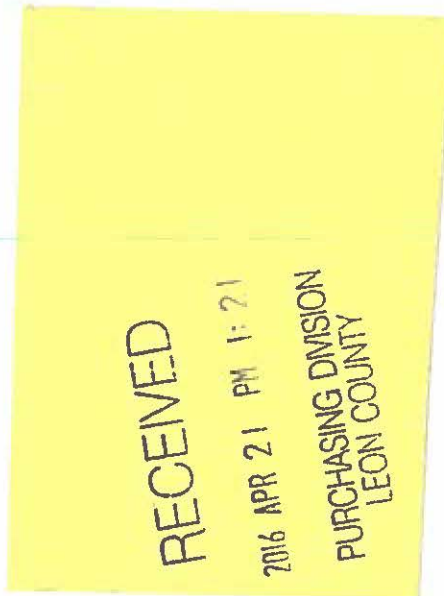
ADDENDA ACKNOWLEDGMENTS: (IF APPLICABLE)

Addendum #1 dated 03/24/16 Initials HPM

Addendum #2 dated 04/11/16 Initials HPM

Addendum #3 dated _____ Initials _____

BASE BID TOTAL FROM UNIT PRICE SHEET: 568,469.65



OLD BAINBRIDGE ROAD AND PULLEN ROAD - INTERSECTION IMPROVEMENT SUMMARY OF PAY ITEMS ROADWAY

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
0101 1	MOBILIZATION	LS	1	\$22,550.00	\$22,550.00
0102 1	MAINTENANCE OF TRAFFIC	LS	1	\$14,000.00	\$14,000.00
104-10-3	SEDIMENT BARRIER	LF	460	\$4.00	\$1,840.00
104-18	INLET PROTECTION SYSTEM	EA	12	\$100.00	\$1,200.00
110-1-1	CLEARING & GRUBBING (Includes Tree Removal)	AC	1.5	\$17,000.00	\$25,500.00
0120 1	REGULAR EXCAVATION	CY	1435.0	\$6.00	\$8,610.00
0120 6	EMBANKMENT	CY	1767.0	\$10.00	\$17,670.00
0160 4	TYPE B STABILIZATION	SY	2829.0	\$2.00	\$5,658.00
2850701	OPTIONAL BASE, BASE GROUP 01	SY	207.0	\$5.75	\$1,190.25
0285706	OPTIONAL BASE, BASE GROUP 06	SY	2491.0	\$11.50	\$28,646.50
0334 1 12	SUPERPAVE ASPHALTIC CONC. TRAFFIC B - 2.0"	TN	231.0	\$100.00	\$23,100.00
0334 1 12	SUPERPAVE ASPHALTIC CONC. TRAFFIC B - 2.5"	TN	118.0	\$100.00	\$11,800.00
0339 1	MISCELLANEOUS ASPHALT PAVEMENT	TN	7.0	\$160.00	\$1,120.00
0400 1 2	CONCRETE CLASS I, ENDWALLS	CY	3.34	\$1,440.00	\$4,809.60
0425 1351	INLETS, CURB, TYPE P-5, <10'	EA	6	\$3,483.73	\$20,902.38
0425 1451	INLETS, CURB, TYPE J-5, <10'	EA	2	\$4,507.69	\$9,015.38
0425 1541	INLETS, DT BOT, TYPE D, <10'	EA	1	\$3,572.15	\$3,572.15
0425 1551	INLETS, DT BOT, TYPE E, <10'	EA	1	\$3,181.42	\$3,181.42
0425 2 91	MANHOLES, J-8, <10'	EA	3	\$4,056.10	\$12,168.30
0430175118	PIPE CULVERT,OPTIONAL MATERIAL,ROUND, 18"S/CD	LF	732.0	\$45.98	\$34,374.72
0430175124	PIPE CULVERT,OPTIONAL MATERIAL,ROUND, 24"S/CD	LF	170.0	\$55.39	\$9,418.30
0430175136	PIPE CULVERT, OPT MATERIAL, ROUND, 36"S/CD	LF	392.0	\$89.13	\$34,938.96
0430982138	MITERED END SECTION, OPTIONAL ROUND, 36" CD	EA	1	\$2,281.16	\$2,281.16
0430984125	MITERED END SECTION, OPTIONAL ROUND, 18" SD	EA	1	\$910.30	\$910.30
0440 1 50	UNDERDRAIN, TYPE V	LF	70.00	\$130.00	\$9,100.00
0440 73 2	UNDERDRAIN OUTLET PIPE, 6"	LF	21.00	\$30.00	\$630.00
0520 1 10	CONCRETE CURB & GUTTER, TYPE F	LF	1072.0	\$17.00	\$18,224.00
0520 2 4	CONCRETE CURB, TYPE D	LF	188.0	\$30.00	\$5,640.00
0520 2 8	CONCRETE CURB, TYPE RA	LF	210.0	\$25.00	\$5,250.00
0520 70	CONCRETE TRAFFIC SEPARATOR, SPECIAL- VARIABLE WIDTH	SY	64.0	\$66.00	\$4,224.00
0522 1	CONCRETE SIDEWALK AND DRIVEWAYS, 4" THICK	SY	204.0	\$38.50	\$7,854.00
0522 2	CONCRETE SIDEWALK AND DRIVEWAYS, 6" THICK	SY	417.0	\$45.00	\$18,765.00
0524 1 2	CONCRETE DITCH PAVEMENT, NON REINFORCED, 4"	SY	60.0	\$66.00	\$3,960.00
0527 2	DETECTABLE WARNINGS	SF	80.0	\$35.00	\$2,800.00
530 3 4	RIP RAP	TN	8.0	\$90.00	\$720.00
0536 1 1	GUARDRAIL -ROADWAY	LF	206.0	\$24.75	\$5,098.50
0536 85 22	GUARDRAIL END ANCHORAGE ASSEMBLY- FLARED	EA	2	\$2,250.00	\$4,500.00
0550 10212	FENCING, TYPE B, 0.5-5.0', W/ VINYL COATING	LF	191.00	\$15.50	\$2,980.50
0570 1 2	PERFORMANCE TURF, SOD	SY	2972.00	\$3.72	\$11,055.84
LC 001	TREE MITIGATION/CERTIFIED ARBORIST	LS	1	\$12,000.00	\$12,000.00
LC 002	DEWATERING	LS	1	\$5,000.00	\$5,000.00
0700 1 11	SINGLE POST SIGN, F&I GROUND MOUNT, UP TO 12 SF	AS	21	\$230.00	\$4,830.00
0710 11101	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, SOLID, 6"	GM	0.25	\$1,800.00	\$453.60
0710 11102	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, SOLID FOR INTERCHANGE AND URBAN ISLAND, 8"	GM	0.02	\$2,000.00	\$30.00
0710 11123	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, SOLID FOR CROSSWALK AND ROUNDABOUT, 12"	LF	60.00	\$1.50	\$90.00
0710 11124	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, SOLID FOR DIAGONAL OR CHEVRON, 18"	LF	59.00	\$2.00	\$118.00
0710 11141	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, 2-4 DOTTED GUIDELINE/ 8-10 DOTTED EXTENSION, 5"	GM	0.02	\$15,000.00	\$315.00
0710 11170	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, ARROWS	EA	8.00	\$72.00	\$576.00
0710 11201	PAINTED PAVEMENT MARKINGS, STANDARD, YELLOW, SOLID, 6"	GM	0.31	\$2,000.00	\$610.00
0710 11224	PAINTED PAVEMENT MARKINGS, STANDARD, YELLOW, SOLID FOR DIAGONAL OR CHEVRON, 18"	LF	86.00	\$2.00	\$172.00
0580 1 1	LANDSCAPE COMPLETE- SMALL PLANTS	LS	1	\$18,000.00	\$18,000.00
0580 1 2	LANDSCAPE COMPLETE- LARGE PLANTS	LS	1	\$18,000.00	\$18,000.00
0590 70	IRRIGATION SYSTEM	LS	1	\$18,000.00	\$18,000.00
				SUB TOTAL	\$475,431.86

OLD BAINBRIDGE ROAD AND PULLEN ROAD - ITNTERSECTION IMPROVEMENT WATER & WASTEWATER PAY ITEMS

WATER					
POTABLE WATER MAIN - STANDARD INSTALLATION - OUTSIDE OF PAVEMENT (Includes Select Fill)					
PWM-02-02-HDP	Water Main, 2", HDPE (PE4710, IPS, DR11, Blue Stripe)	LF	10.0	\$32.20	\$322.00
PWM-02-08-PVC	Water Main, 8", PVC (C-900, DR18)	LF	155.0	\$22.36	\$3,465.80
PWM-02-12-PVC	Water Main, 12", PVC (C-900, DR18)	LF	64.0	\$33.49	\$2,143.38
POTABLE WATER MAIN - STANDARD INSTALLATION - IN PAVEMENT (Includes Select Fill, Sub-base, Base & Asphalt Patch)					
PWM-01-08-PVC	Water Main, 8", PVC (C-900, DR18)	LF	38.0	\$60.00	\$2,160.00
PWM-01-08-PVC	Water Main, 8", PVC (C-900, DR18)	LF	282.0	\$39.00	\$10,998.00
PWM-01-12-PVC	Water Main, 12", PVC (C-900, DR18)	LF	451.0	\$45.00	\$20,295.00
ABANDONMENT OF EXISTING WATER MAIN AND APPURTENANCES					
ABW-01	Abandon Water Main (Not Grout Filled)	LF	510.0	\$5.00	\$2,550.00
ABW-02	Remove Water Main	LF	375.0	\$10.00	\$3,750.00
ABW-03	Remove And Salvage Valve, Valve Nut and Valve Box	EA	2	\$1,000.00	\$2,000.00
ABW-04	Remove And Salvage Fire Hydrant Assembly	EA	2	\$1,000.00	\$2,000.00
POTABLE WATER SERVICES - STANDARD INSTALLATION (MAIN x SERVICE)					
PWS-01-1201-20	Water Service, 12"x1", 0-20 Ft., HDPE (PE4710, CTS, DR9)	EA	2	\$1,507.82	\$3,015.64
FIRE HYDRANT INSTALLATION AND MAINTENANCE					
FHA-01	Fire Hydrant Assembly w/ Valve, Valve Box, And Tee	EA	2	\$3,337.30	\$6,674.60
WATER VALVES					
WBV-02	Ball Valve w/ Valve Box, 2"	EA	1	\$1,038.69	\$1,038.69
WGV-06	Gate Valve w/ Valve Box, 6"	EA	1	\$1,510.28	\$1,510.28
WGV-08	Gate Valve w/ Valve Box, 8"	EA	4	\$2,041.48	\$8,165.92
WGV-12	Gate Valve w/ Valve Box, 12"	EA	4	\$3,202.80	\$12,811.20
TAPPING SLEEVE AND VALVE CONNECTION					
TSV-WM-0808	Tapping Sleeve And Valve, 8"x 8"	EA	1	\$3,275.94	\$3,275.94
CUT-IN Connection to Existing Water Main					
CIW-06	Cut-In Connection to Existing Water Main, 6"	EA	2	\$1,334.46	\$2,668.92
CIW-12	Cut-In Connection to Existing Water Main, 12"	EA	1	\$1,692.46	\$1,692.46
SEWER					
MISCELLANEOUS MANHOLE TOP ADJUSTMENT					
20700	Adjust Existing Sewer Service (Contigent)	EA	1	\$1,000.00	\$1,000.00
MHA-18	Manhole Top Adjustment, 0-18"	EA	2	\$750.00	\$1,500.00
				SUB TOTAL	\$93,037.79
				GRAND TOTAL	\$568,489.65

Bid Title: Old Bainbridge and Pullen Roads Roundabout
Bid No: BC-04-21-16-21
Opening Date: April 21, 2016 at 2:00 PM

**AFFIDAVIT CERTIFICATION
IMMIGRATION LAWS**

Leon County will not intentionally award County contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324 A(e) {Section 274a(e) of the Immigration and Nationality Act (ANA@

Leon County may consider the employment by any Contractor of Unauthorized Aliens a violation of Section 274A(e) of the INA. Such violation by the Recipient of the employment provision contained in Section 274A(e) of the INA shall be ground for unilateral cancellation of the contract by Leon County.

BIDDER ATTESTS THAT THEY ARE FULLY COMPLIANT WITH ALL APPLICABLE IMMIGRATION LAWS (SPECIFICALLY TO THE 1986 IMMIGRATION ACT AND SUBSEQUENT AMENDMENTS).

Company Name: M OF TALLAHASSEE, INC.
Signature:  Title: VICE PRESIDENT
HENRY MAYFIELD

STATE OF FLORIDA
COUNTY OF LEON

Sworn to and subscribed before me this 21ST Day of APRIL, 2016

Personally known XX


NOTARY PUBLIC

OR Produced identification _____

Notary Public - State of FLORIDA

(Type of identification)

My commission expires Commission # EE 828389
Expires October 20, 2016
Bonded Thru Troy Pain Insurance 800-385-7019

Printed, typed, or stamped commissioned name of notary

The signee of this Affidavit guarantees, as evidenced by the sworn affidavit required herein, the truth and accuracy of this affidavit to interrogatories hereinafter made.

**LEON COUNTY RESERVES THE RIGHT TO REQUEST SUPPORTING DOCUMENTATION,
AS EVIDENCE OF SERVICES PROVIDED, AT ANY TIME.**

Bid Title: Old Bainbridge and Pullen Roads Roundabout
Bid No: BC-04-21-16-21
Opening Date: April 21, 2016 at 2:00 PM

MINORITY AND WOMEN BUSINESS ENTERPRISE (MWBE) PARTICIPATION PLAN FORM

Respondent: M OF TALLAHASSEE, INC.

All respondents, including Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs), shall complete and submit this M/WBE Participation Plan with their proposal. Through submission of its bid/proposal, Respondent certifies, acknowledges and agrees that the Participation Level and the Good Faith Efforts herein designated are accurate and true; and, that the individual whose manual signature is on this submission is duly authorized on behalf of the respondent to make such certification.

For the purposes of MWBE participation on Leon County projects, the following definition applies:

Certified Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) are firms certified by Leon County or the City of Tallahassee. Some firms with MBE or WBE certification by the State of Florida may be accepted under a reciprocal agreement but, those from other governmental organizations are not accepted by Leon County.

DIRECTIONS: Each respondent must designate in Section 3 its level of MWBE participation. If the aspirational targets are not met or exceeded, Section 2 must be completed. All Respondents are to list subcontractors as appropriate in Sections 3 and 4.

SECTION 1 - ASPIRATIONAL TARGET FOR MWBE PARTICIPATION

The aspirational target for this project is:

Aspirational Target for Construction	
M/WBE Classification	Aspirational Target(s)
Certified Minority Business Enterprises (MBE)	17% of the total anticipated contract value
Certified Women Business Enterprises (WBE)	9% of the total anticipated contract value

SECTION 2 - GOOD FAITH EFFORT

The following list of the good faith efforts criteria complies with Leon County's Purchasing and Minority, Women, and Small Business Enterprise Policy. This criteria is used in the determination of whether a contractor has performed and documented good faith efforts. Also, the basis for rejecting a MWBE deemed unqualified or unacceptable by the Prime Contractor shall be documented and included in the respondent's Good Faith Effort documentation.

1. Please identify all of the following activities that your firm has done as Good Faith Effort in order to secure MWBE participation and submit documentation of such. Failure to designate those actions you have done as Good Faith and provide documentation of all Good Faith Efforts completed by your firm may result in your proposal being determined as non-responsive. Please check the appropriate boxes that apply to your good faith activities:
 - a. Advertised for participation by MWBEs in non-minority and minority publications within the Market area, including a copy of the advertisement and proof of the date(s) it appeared or by sending correspondence, no less than ten (10) days prior to the submission deadline, to all MWBE's referred to the respondent by the MWSBE Division for the goods and services to be subcontracted and/or supplied

Bid Title: Old Bainbridge and Pullen Roads Roundabout
Bid No: BC-04-21-16-21
Opening Date: April 21, 2016 at 2:00 PM

- b. Documented that the bidding Prime Contractor provided ample time for potential MBE and/or WBE subcontractors to respond to bid opportunities, including a chart outlining the schedule/time frame used to obtain bids from MBE and WBE Vendors as applicable to the aspirational Target.
- c. Contacted the MWSBE Division for a listing of available MWBEs who provide the services needed for the bid or proposal.
- d. Contacted MBEs and/or WBEs who provide the services needed for the bid or proposal.
- e. Documented follow-up telephone calls with potential M/WBE subcontractors seeking participation.
- f. Allowed potential M/WBE Subcontractors to review bid specifications, blueprints and all other Bid/RFP related items at no charge to the M/WBEs.
- g. Contacted the MWSBE Division, no less than five (5) business days prior to the Bid/RFP deadline, regarding problems the with respondent is having in achieving and/or reaching the aspirational targets.
- h. Other documentation indicating their Good Faith Efforts to meet the aspirational targets. Please provide details below.

- 2. Prime contractors will negotiate in good faith with interested MWSBE's, not rejecting a MWSBE as unqualified or unacceptable without sound business reasons based on a thorough investigation of their capabilities. The basis for rejecting any MWBE deemed unqualified or unacceptable by the Prime Contractor shall be included in the Good Faith Effort documentation. The Prime Contractor shall not impose unrealistic conditions of performance on MWSBE's seeking subcontracting opportunities.
- 3. Leon County reserves the right to request supporting documentation as evidence of good faith efforts indicated above at any time. Failure to provide supporting documentation when requested shall deem your bid/proposal as non-responsive.

PARTICIPATION PLAN FORM continued on following pages.

Bid Title: Kinhega Drive/Beech Ridge Trail Roundabout
 Bid No: BC-04-30-15-28
 Opening Date: April 30, 2015 at 2:00 PM

SECTION 3 – RESPONDENT’S PROPOSED MWBE PARTICIPATION

Respondent shall complete the following Table identifying each certified MWBE firm they intend to use on this project. Attach additional sheets as necessary.

MBE and WBE Intended Utilization

Firm's Name (Requires Leon County or City of Tallahassee MWBE certification) ¹	Firm's Location Address (Must be in Leon, Gadsden, Jefferson or Wakulla Counties, FL to be certified)	Firm's Telephone Number	Ethnic Group ² (B, A, H, N, F)	Total Dollar Amount of MWBE Participation	Type of Service to Provide
Minority and Women Business Enterprise(s)					
a. CAPITAL CITY CONTRACTING, LLC	27 BAY PINE DR. CRWFRDVILLE, FL 32326	850-907-1220	B	64,000.00	CONCRETE
b. GAINES & SONS STRIPING	8771 JIMERCE CT TLH, FL 32309	850-893-4084	B	17,000.00	STRIPING, SIGNS, SOD
c. FLORIDA DEVELOPERS	642 W. BREVARD ST TLH, FL 32304	850-224-6002	B	15,800.00	UNDERDRAIN, TRUCKING
d. SHAFFIELD BUILDING SPECIALTIES	1515-2 HENWAY CT. TLH, FL 32303	850-553-4840	F	44,000.00	LANDSCAPE
e. HALE CONTRACTING	1736 COMMERCE BLVD MIDWAY, FL 32343	850-575-2506	F	7,200.00	TRUCKING
f.					
Total Bid Amount \$ 568,469.65		Total MWBE Participation \$ 148,000.00			MBE Participation % 17 WBE Participation % 9 (MBE or WBE Participation \$ Total Bid \$)
¹ Certification Attach and submit a copy of each MBE and WBE certification with the proposal. ² Ethnic Group Use following abbreviations for MBE's: African American (B); Asian American (A); Hispanic American (H); and Native American (N). WBEs include Non-Minority Female (F) owned firms.					

Vendor Information

CLOSE WINDOW 

 HELP

Vendor Information

Business Name Capital City Contracting, LLC

Owner Mr. Mario Moore

Address 27 Bay Pine Drive
> [Map This Address](#) Crawfordville, FL 32326

Phone 850-907-1220

Fax 850-421-2503

Email capcitycontracting@gmail.com

Certification Information

Certifying Agency Leon County

Certification Type MBE - Minority Business Enterprise

Renewal/Anniversary Date 2/15/2017

Certified Business Description Construction-Related Services - experience with concrete projects involving slab work, forming pouring, and finishing of driveways, curbs, slabs, sidewalks, parking lots, etc.

Commodity Codes

Code	Description
Leon 08	Concrete
Leon 18	Other Construction Services

Customer Support

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Vendor Information

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Vendor Information

Business Name Florida Developers, Inc.
Owner Mr. Frank Williams
Address 642 W. Brevard Street
 > [Map This Address](#) Tallahassee, FL 32304
Phone 850-224-6002
Fax 850-222-8010
Email frank@fldevelopers.com
Website <http://www.fldevelopers.com>

Certification Information

Certifying Agency City of Tallahassee
Certification Type MBE - Minority Business Enterprise
Renewal/Anniversary Date 7/31/2016
Certified Business Description General Contractor, Site Work, Underground Utilities, Excavation, Waterproofing, and Trucking

Commodity Codes

Code	Description
Leon 12	General Contracting
Leon 14	Excavation
Leon 18	Other Construction Services
Leon 21	Trucking and Hauling

Customer Support

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Vendor Information

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Vendor Information

Business Name **Shaffield Building Specialties, Inc.**
Owner **Ms. Cynthia Shaffield Knox**
Address **1515-2 Henway Court**
 > [Map This Address](#) **Tallahassee, FL 32303**
Phone **850-553-4840**
Fax **850-668-2056**
Email **cyndi@shaffieldbuilding.com**

Certification Information

Certifying Agency **City of Tallahassee**
Certification Type **WBE - Women Business Enterprise**
Renewal/Anniversary Date **4/30/2016**
Certified Business Description **General Contractor: Site Work, Landscape/Irrigation, Concrete, Masonry, Steel & Misc., Metals, Carpentry, Millwork, Drywall, Painting, Floor Coverings, Doors, Frames & Hardware Specialties, Furnishings, Appliances, & Playground Equipment**

Commodity Codes

Code	Description
Leon 08	Concrete
Leon 09	Masonry
Leon 12	General Contracting
Leon 13	Landscaping
Leon 17	Miscellaneous Supplies
Leon 18	Other Construction Services
Leon 19	Painting

[Customer Support](#)

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Vendor Information

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 HELP

Vendor Information

Business Name **Hale Contracting, Inc.**
 Owner **Ms. Christi Hale**
 Address **1736 Commerce Blvd.**
 > [Map This Address](#) **Midway, FL 32343**
 Phone **850-575-2506**
 Fax **850-575-0836**
 Email **c.hale@halecontracting.net**

Certification Information

Certifying Agency **City of Tallahassee**
 Certification Type **WBE - Women Business Enterprise**
 Renewal/Anniversary Date **2/28/2018**
 Certified Business Description **Sitework, Excavation, Underground Utilities, Concrete Services and Hauling**

Commodity Codes

Code	Description
Leon 08	Concrete
Leon 12	General Contracting
Leon 14	Excavation
Leon 18	Other Construction Services
Leon 21	Trucking and Hauling

Customer Support

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Bid Title: Kinhega Drive/Beech Ridge Trail Roundabout
 Bid No: BC-04-30-15-28
 Opening Date: April 30, 2015 at 2:00 PM

SECTION 4 - NON-MWBE SUBCONTRACTORS


Respondent shall complete the following Table identifying non-MBE or WBE's subcontractors it anticipates utilizing on the project.

Non-MBE and WBE Intended Utilization				
Firm's Name	Firm's Address	Firm's Phone #	Total Dollar Amount	Type of Service to Provide
a. ACME BARRICADES	1675 COMMERCE BLVD. MIDWAY, FL 32343	850-765- 8546	18,000.00	GUARDRAIL
b. PEAVY & SON CONSTR.	PO BOX 2369 HAVANA, FL 32333	850-539- 5019	31,000.00	ASPHALT
c. MILLER'S TREE SERVICE	4951 WOODLANE CIRCLE TALL., FL 32303	850-228 7876	15,000.00	ARBORCULTURAL MITIGATION TRIMMING, etc.
d.				
e.				
f.				
g.				
h.				
i.				

Bid Title: Kinhega Drive/Beech Ridge Trail Roundabout
Bid No: BC-04-30-15-28
Opening Date: April 30, 2015 at 2:00 PM

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION STATEMENT

1. The contractors and all subcontractors hereby agree to a commitment to the principles and practices of equal opportunity in employment and to comply with the letter and spirit of federal, state, and local laws and regulations prohibiting discrimination based on race, color, religion, national region, sex, age, handicap, marital status, and political affiliation or belief.
2. The contractor agrees to comply with Executive Order 11246, as amended, and to comply with specific affirmative action obligations contained therein.

Signed: 
HENRY MAYFIELD
Title: VICE PRESIDENT
Firm: M OF TALLAHASSEE, INC.
Address: 4223 CAPITAL CIRCLE NW
TALLAHASSEE, FL 32303

Bid Title: Kinhega Drive/Beech Ridge Trail Roundabout
Bid No: BC-04-30-15-28
Opening Date: April 30, 2015 at 2:00 PM

IDENTICAL TIE BIDS

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids which are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- 3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employees will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5) Impose a sanction on, or require the satisfactory participation in a drug assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify the following:

(Check one and sign in the space provided.)

This firm complies fully with the above requirements.

This firm does not have a drug free work place program at this time.



Bidder's Signature HENRY MAYFIELD

VICE PRESIDENT

Title

APRIL 21, 2016

Date

Bid Title: Kinhega Drive/Beech Ridge Trail Roundabout
 Bid No: BC-04-30-15-28
 Opening Date: April 30, 2015 at 2:00 PM

CONTRACTOR'S BUSINESS INFORMATION

COMPANY INFORMATION

Name: M OF TALLAHASSEE, INC.	
Street Address: 4223 CAPITAL CIRCLE NW	
City, State, Zip: TALLAHASSEE, FL 32303	
Taxpayer ID Number: 59-2280870	
Telephone: 850-562-1022	Fax: 850-562-8151
Trade Style Name: UNDERGROUND UTILITY & SITEWORK CONTRACTOR	

TYPE OF BUSINESS ORGANIZATION (check one)

<input type="checkbox"/>	Sole Proprietorship	<input type="checkbox"/>	Limited Liability Company
<input type="checkbox"/>	General Partnership	<input type="checkbox"/>	Joint Venture
<input type="checkbox"/>	Limited Partnership	<input type="checkbox"/>	Trust
<input checked="" type="checkbox"/>	Corporation	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/>	Sub-chapter S Corporation		

State of Incorporation: FLORIDA Date Established: 06/22/1983

AUTHORIZED SIGNATORIES/NEGOTIATORS

The Bidder represents that the following persons are authorized to sign and/or negotiate contracts and related documents to which the bidder will be duly bound:

Name	Title	Telephone	E-Mail
EMORY L. MAYFIELD	PRESIDENT	850-562-1022	emayfield@mofallahassee.net
HENRY MAYFIELD	VICE PRESIDENT	850-562-1022	hmayfield@mofallahassee.net

FLORIDA CONSTRUCTION INDUSTRIES LICENSING BOARD

Please provide the following information for all licenses required by Florida statutes of the Prime Contractor for the performance of the work in this project.

Primary Licensee: EMORY L. MAYFIELD
License Type: UNDERGROUND UTILITY & EXCAVATION

Bid Title: Kinhega Drive/Beech Ridge Trail Roundabout
 Bid No: BC-04-30-15-28
 Opening Date: April 30, 2015 at 2:00 PM

License Number: CUC050626	Expiration Date: AUGUST 31, 2016
Qualified Business License (certificate of authority) number: N/A	
Alternate Licensee:	
License Type:	
License Number:	Expiration Date:

Bidder may use additional sheets to provide information for all applicable licenses and shall provide copies of each license as a part of the bid submittal.

LIST COMPANIES FROM WHOM YOU OBTAIN SURETY BONDS

Surety Company 1

Company Name	CONSTRUCTION UNDERWRITERS, INC.
Contact's Name	TOM LOBRANO
Telephone	904-296-3331
Fax	904-296-1314
Address	4168 SOUTHPOINT PARKWAY, STE. 305, JACKSONVILLE, FL 32216

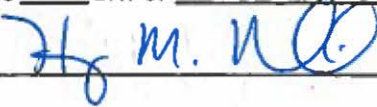
Surety Company 2

Company Name	
Contact's Name	
Telephone	
Fax	
Address	

Present Amount of Bonding Coverage (\$): 90,000,000.00	Has your application for surety bond ever been declined? Yes <input checked="" type="checkbox"/> No <i>(if yes, please provided detailed information on reverse)</i>	During the past 2 years, have you been charged with a failure to meet the claims of your subcontractors or suppliers? Yes <input checked="" type="checkbox"/> No <i>(if yes, please provided detailed information on reverse)</i>
---	--	---

THE UNDERSIGNED, A DULY AUTHORIZED OFFICER OR EMPLOYEE, HEREBY CERTIFIES THAT THE ABOVE INFORMATION IS TRUE AND CORRECT AND HAS HEREUNTO SET HIS SIGNATURE

THIS 21ST DAY OF APRIL, 2016.

By:  Title: VICE PRESIDENT

Printed Name and Title: HENRY MAYFIELD, VICE PRESIDENT

Bid Title: Kinhega Drive/Beech Ridge Trail Roundabout
Bid No: BC-04-30-15-28
Opening Date: April 30, 2015 at 2:00 PM

NON-COLLUSION AFFIDAVIT

The undersigned being first duly sworn as provided by law, deposes and says:

1. This Affidavit is made with the knowledge and intent that it is to be filed with the Board of County Commissioners, Leon County, Florida and that it will be relied upon by said County, in any consideration which may give to and any action it may take with respect to this Proposal.
2. The undersigned is authorized to make this Affidavit on behalf of,

M OF TALLAHASSEE, INC.
(Name of Corporation, Partnership, Individual, etc.)

a CORPORATION, formed under the laws of FLORIDA
(Type of Business) (State or Province)

of which he/she is VICE PRESIDENT
(Sole Owner, partner, president, etc.)

3. Neither the undersigned nor any other person, firm or corporation named in above Paragraph 2, nor anyone else to the knowledge of the undersigned, have themselves solicited or employed anyone else to solicit favorable action for this Proposal by the County, also that no head of any department or employee therein, or any officer of Leon County, Florida is directly interested therein.
4. This Proposal is genuine and not collusive or a sham; the person, firm or corporation named above in Paragraph 2 has not colluded, conspired, connived or agreed directly or indirectly with any bidder or person, firm or corporation, to put in a sham Proposal, or that such other person, firm or corporation, shall refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference with any person, firm or corporation, to fix the prices of said proposal or proposals of any other bidder; and all statements contained in the proposal or proposals described above are true; and further, neither the undersigned, nor the person, firm or corporation named above in Paragraph 3, has directly or indirectly submitted said proposal or the contents thereof, or divulged information or data relative thereto, to any association or to any member or agent thereof.

Henry Mayfield VICE PRESIDENT
AFFIANT'S NAME HENRY MAYFIELD AFFIANT'S TITLE

TAKEN, SWORN AND SUBSCRIBED TO BEFORE ME this 21ST Day of APRIL, 2016.

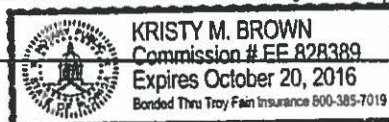
Personally Known XX Or Produced Identification

Type of Identification

Kristy M. Brown
NOTARY PUBLIC

(Print, Type or Stamp Commissioned Name of Notary Public)

My Commission Expires:



Bid Title: Kinhega Drive/Beech Ridge Trail Roundabout

Bid No: BC-04-30-15-28

Opening Date: April 30, 2015 at 2:00 PM

Required Policy Endorsements and Documentation

Certificate of Insurance will be provided evidencing placement of each insurance policy responding to requirements of the contract.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Endorsements to insurance policies will be provided as follows:

Additional insured (Leon County, Florida, its Officers, employees and volunteers) -
General Liability & Automobile Liability

Primary and not contributing coverage-
General Liability & Automobile Liability

Waiver of Subrogation (Leon County, Florida, its officers, employees and volunteers)- General Liability, Automobile Liability, Workers=Compensation and Employer= Liability

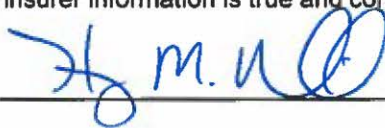
Thirty days advance written notice of cancellation to County - General Liability, Automobile Liability, Worker= Compensation & Employer= Liability.

Please mark the appropriate box:

Coverage is in place Coverage will be placed, without exception

The undersigned declares under penalty of perjury that all of the above insurer information is true and correct.

Name HENRY MAYFIELD
Typed or Printed

Signature 

Date APRIL 21, 2016

Title VICE PRESIDENT
(Company Risk Manager or Manager with Risk Authority)

Bid Title: Kinhega Drive/Beech Ridge Trail Roundabout

Bid No: BC-04-30-15-28

Opening Date: April 30, 2015 at 2:00 PM

**CERTIFICATION REGARDING
DEBARMENT, SUSPENSION,
And OTHER RESPONSIBILITY MATTERS
PRIMARY COVERED TRANSACTIONS**

- 1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b) Have not within a three-year period preceding this been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of these offenses enumerated in paragraph (1)(b) of this certification; and
 - d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- 2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
- 3) No subcontract will be issued for this project to any party which is debarred or suspended from eligibility to receive federally funded contracts.



Signature HENRY MAYFIELD

VICE PRESIDENT
Title

M OF TALLAHASSEE, INC.
Contractor/Firm

4223 CAPITAL CIRCLE NW, TALLAHASSEE, FL 32303
Address

Bid Title: Kinhega Drive/Beech Ridge Trail Roundabout
Bid No: BC-04-30-15-28
Opening Date: April 30, 2015 at 2:00 PM

CERTIFICATION OF TRADES WORK

This bid has an aspirational trade contractor work target of 85 percent of the dollar value of trade contractor work with local businesses unless the bidder provides proof to the County's satisfaction, that the trade contractor work is not available locally with the Leon, Gadsden, Wakulla or Jefferson County area.

The following definitions shall apply for purposes of this section:

- a. "Local business" shall mean a business which has had a fixed office or distribution point located in and having a street address within Leon, Gadsden, Wakulla, or Jefferson County for at least six (6) months immediately prior to the issuance of the request for competitive bids or request for proposals by the County.
- b. The term Trade contractor shall mean a subcontractor who contracts with the prime contractor and whose primary activity is performing specific activities (e.g., pouring concrete, masonry, site preparation, framing, carpentry, dry wall installation, electrical, plumbing, painting) in a construction project but is not responsible for the entire project.

The successful contractor, at the time of development of the project schedule of values, shall provide a listing of the trade contractor work to be performed. As the project progresses, the names of the trade contractors performing the work and the dollar value and percentage participation of each shall be provided in a manner to be prescribed by the County.

The Bidder shall complete the following section designating the commitment to trade contractor participation for this project. If the aspirational target of 85 percent of the dollar value of trade contractor work cannot be met, the Bidder shall provide such information necessary to establish that the work is not available from local trade contractors.

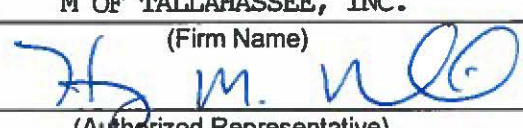
Bidder agrees to engage not less than 85 percent of the dollar value of trade contractor work with local businesses.

Bidder agrees to engage not less than _____ percent of the dollar value of trade contractor work with local businesses and has explained why the aspirational target cannot be met.

The undersigned is an authorized signatory for the bidder and understands that the commitment made herein shall be a contractual provision of the project for the successful contractor and, further, that if bidder is the successful contractor all prescribed reporting will be done in an accurate and timely manner.

M OF TALLAHASSEE, INC.

(Firm Name)

BY 

(Authorized Representative)

HENRY MAYFIELD

(Printed or Typed Name)

DATE APRIL 21, 2016

Bid Title: Kinhega Drive/Beech Ridge Trail Roundabout
Bid No: BC-04-30-15-28
Opening Date: April 30, 2015 at 2:00 PM

LOCAL VENDOR CERTIFICATION

The undersigned, as a duly authorized representative of the vendor listed herein, certifies to the best of his/her knowledge and belief, that the vendor meets the definition of a "Local Business." For purposes of this section, "local business" shall mean a business which:

- a) Has had a fixed office or distribution point located in and having a street address within Leon, Gadsden, Wakulla, or Jefferson County for at least six (6) months immediately prior to the issuance of the request for competitive bids or request for proposals by the County; and
- b) Holds any business license required by Leon County (or one of the other local counties), and, if applicable, the City of Tallahassee; and
- c) Is the principal offeror who is a single offeror; a business which is the prime contractor and not a subcontractor; or a partner or joint venturer submitting an offer in conjunction with other businesses.

Please complete the following in support of the self-certification and submit copies of your County and City business licenses. Failure to provide the information requested will result in denial of certification as a local business.

Business Name: M OF TALLAHASSEE, INC.	
Current Local Address: 4223 CAPITAL CIRCLE NW TALLAHASSEE, FL 32303	Phone: 850-562-1022 Fax: 850-562-8151
If the above address has been for less than six months, please provide the prior address.	
Length of time at this address:	
Home Office Address: SAME AS ABOVE	Phone: Fax:

Henry Mayfield
Signature of Authorized Representative
HENRY MAYFIELD
STATE OF FLORIDA
COUNTY OF LEON

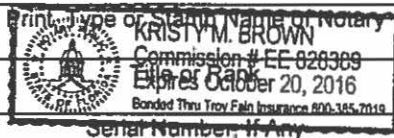
APRIL 21, 2016
Date

The foregoing instrument was acknowledged before me this 21ST day of APRIL, 2016
By HENRY MAYFIELD of M OF TALLAHASSEE, INC.
(Name of officer or agent, title of officer or agent) (Name of corporation acknowledging)
a FLORIDA Corporation, on behalf of the corporation. He/she is personally known to me
(State or place of incorporation)
or has produced _____ as identification

Kristy M. Brown
Signature of Notary

Return Completed form with supporting documents to:

Leon County Purchasing Division
1800-3 N. Blair Stone Road
Tallahassee, Florida 32308



THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we **M OF TALLAHASSEE, INC.**
4223 Capital Circle, NW (Here insert full name and address or legal title of Contractor)
Tallahassee, Florida 32303

as **Principal**, hereinafter called the **Principal**, and **ARCH INSURANCE COMPANY**
3 Parkway, Suite 1500 (Here insert full name and address or legal title of Surety)
Philadelphia, PA 19102

a corporation duly organized under the laws of the State of Missouri
as **Surety**, hereinafter called the **Surety**, are held and firmly bound unto **LEON COUNTY BOARD OF COUNTY COMMISSIONERS**
1800-3 North Blair Stone Road (Here insert full name and address or legal title of Owner)
Tallahassee, Florida 32308

as **Obligee**, hereinafter called the **Obligee**, in the sum of Five percent of the largest amount for which award can be made under the accompanying bid. Dollars (\$ 5%),
for the payment of which sum well and truly to be made, the said **Principal** and the said **Surety**, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the **Principal** has submitted a bid for (Here insert full name, address and description of project)
OLD BAINBRIDGE AND PULLEN ROADS ROUNDABOUT

NOW, THEREFORE, if the **Obligee** shall accept the bid of the **Principal** and the **Principal** shall enter into a Contract with the **Obligee** in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the **Principal** to enter such Contract and give such bond or bonds, if the **Principal** shall pay to the **Obligee** the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the **Obligee** may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 21st day of April 2016

KRISTY M. BROWN (Witness)

M OF TALLAHASSEE, INC.
(Principal) (Seal)

HENRY MAYFIELD (Title) VICE PRESIDENT

Teresa Blunk (Witness)

ARCH INSURANCE COMPANY
(Surety) (Seal)

(Title)

Tom S. Lobrano, IV, Attorney-in-Fact & Florida Resident Agent



AIC 0000175834

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON BLUE BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Mortgage, Note, Loan, Letter of Credit, Bank Deposit, Currency Rate, Interest Rate or Residential Value Guarantees.

POWER OF ATTORNEY

Know All Persons By These Presents:

That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

Geoffrey M. Munn, Mark C. Fore, Thomas S. Lobrano, IV and Tom S. Lobrano III of Jacksonville, FL (EACH)

its true and lawful Attorney(s)-in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed:

Any and all bonds, undertakings, recognizances and other surety obligations, in the penal sum not exceeding Ninety Million Dollars (\$90,000,000.00).

This authority does not permit the same obligation to be split into two or more bonds in order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on September 15, 2011, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on September 15, 2011:

VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on September 15, 2011, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company.



Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Purchasing Division
1800-3 Blair Stone Road
(corner of Miccosukee and Blair Stone Roads)
Tallahassee, Florida 32308
(850) 606-1600

Commissioners

BILL PROCTOR

District 1
Chairman

JOHN DAILEY

District 3
Vice Chairman

JANE G. SAULS

District 2

BRYAN DESLOGE

District 4

KRISTIN DOZIER

District 5

MARY ANN LINDLEY

At-Large

NICK MADDOX

At-Large

VINCENT S. LONG

County Administrator

HERBERT W.A. THIELE

County Attorney

March 24, 2016

RE: Bid Title: Old Bainbridge and Pullen Road Roundabout
Bid No: BC-04-21-16-21
Opening Date: April 21, 2016 at 2:00 PM

ADDENDUM #1

Dear Vendor:

This letter serves as Addendum #1 for the above referenced project.

The following shall be added to the bid specifications:

Please find attached the City of Tallahassee updated Electric Utility relocation schedule.

Acknowledgment of this addendum is required as part of your bid submittal. Failure to acknowledge this addendum may result in rejection of your bid.

Should you have any questions, feel free to call me at (850) 606-1600.

Sincerely,

Don Tobin, CPPB
Purchasing and Contract Administrator

DT



Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

Purchasing Division
1800-3 Blair Stone Road
(corner of Miccosukee and Blair Stone Roads)
Tallahassee, Florida 32308
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BILL PROCTOR
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District 5

MARY ANN LINDLEY
At-Large

NICK MADDOX
At-Large

VINCENT S. LONG
County Administrator

HERBERT W.A. THIELE
County Attorney

April 11, 2016

RE: Bid Title: Old Bainbridge and Pullen Road Roundabout
Bid No: BC-04-21-16-21
Opening Date: April 21, 2016 at 2:00 PM

ADDENDUM #2

Dear Vendor:

This letter serves as Addendum #2 for the above referenced project.

The following shall be added to the bid specifications:

Please find attached:

Updated plans w/following changes:

- Sheet 1 - Date Modified & Table of Contents (Sheets 55-63 Added)
- Sheet 2 - Driveway Base and Asphalt revised
- Sheet 3 - 6 - Notes Modified per City GM Comments
- Sheet 8 - SWMF underdrain length modified & note added to driveway on Old Bainbridge Road
- Sheet 9, 11 & 12 - Underdrain and Drainage structure revisions
- Sheet 16-17 - Drainage profile revisions
- Sheet 22 - Drainage structure labels revised
- Sheet 31-32 - Drainage modifications
- Sheet 35 & 37 Driveway profiles revised
- Sheet 40 - sheet updated per revised underdrain
- Sheet 41-45 - Revised Notes per City GM Comments
- Sheet 48 revisions to underdrain
- Sheet 49 Updates to City Water
- Sheet 51-53 - underdrain revisions
- Sheet 55-63 - Sheets added for additional detail for driveway construction

Updated Bid Pricing Sheet w/following changes:

- Added Pay Items: 20700 (Adjust Existing Sewer Service), Sediment Barrier, Inlet Protection, Optional Base Group 01 & Dewatering
- Removed Pay Items: Pipe Culvert, Optional Material, Round, 30"
- Quantities changed: Underdrain, Type V, Underdrain Outlet Pipe & Pipe Culvert, Optional Material, Round, 36"

Addendum #2 Old Bainbridge and Pullen Roads Roundabout
April 11, 2011
Page 2

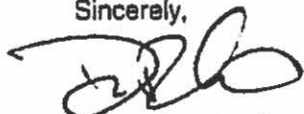
Updated Technical Specifications w/following changes:

Item 4.15 - Warranty modified to Two Years to comply with the City of Tallahassee Requirements.
Item 4.22 - Testing report submission to comply with the City of Tallahassee Requirements.
Item 4.23 - Contractor requirement to submit a City of Tallahassee Maintenance of Traffic Permit.

Acknowledgment of this addendum is required as part of your bid submittal. Failure to acknowledge this addendum may result in rejection of your bid.

Should you have any questions, feel free to call me at (850) 606-1600.

Sincerely,



Don Tobin, CPPB
Purchasing and Contract Administrator

DT

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD



LICENSE NUMBER	
CUC050626	

The UNDERGROUND UTILITY & EXCAVATION CO
Named below IS CERTIFIED
Under the provisions of Chapter 489 FS.
Expiration date: AUG 31, 2016

MAYFIELD, EMORY L
M OF TALLAHASSEE INC
4223 CAPITAL CIRCLE NW
TALLAHASSEE FL 32303-7214



ISSUED: 06/15/2014

DISPLAY AS REQUIRED BY LAW

SEQ # L1406150001758



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JIM BOXOLD
SECRETARY

February 16, 2016

M OF TALLAHASSEE, INC.
4223 CAPITAL CIR NW
TALLAHASSEE FL 32303

RE: CERTIFICATE OF QUALIFICATION

Dear Sir/Madam:

The Department of Transportation has qualified your company for the type of work indicated below. Unless your company is notified otherwise, this Certificate of Qualification will expire 3/30/2017. However, the new application is due 1/31/2017.

In accordance with S.337.14 (1) F.S. your next application must be filed within (4) months of the ending date of the applicant's audited annual financial statements.

If your company's maximum capacity has been revised, you can access it by logging into the Contractor Prequalification Application System via the following link:
<https://www3.dot.state.fl.us/ContractorPreQualification/>

Once logged in, select "View" for the most recently approved application, and then click the "Manage" and "Application Summary" tabs.

FDOT APPROVED WORK CLASSES:

DEBRIS REMOVAL (EMERGENCY), DRAINAGE, FENCING, FLEXIBLE PAVING, GRADING, GRASSING, SEEDING AND SODDING, HOT PLANT-MIXED BITUM. COURSES, MINOR BRIDGES, UNDERGROUND UTILITIES - WATER AND SEWER, SIDEWALK, CURB AND GUTTER.

You may apply, in writing, for a Revised Certificate of Qualification at any time prior to the expiration date of this certificate according to Section 14-22.0041(3), Florida Administrative Code. If certification in additional classes of work is desired, documentation is needed to show that your company has done such work with your own forces and equipment or that experience was gained with another contractor and that you have the necessary equipment for each additional class of work requested.

Sincerely,

Alan D Autry

Alan Autry, Manager
Contracts Administration Office

Digitally signed by Alan D Autry
DN: cn=US, o=IdenTrust ACES Business Representative,
ou=FLORIDA DEPARTMENT OF TRANSPORTATION, cn=Alan D
Autry,
c.R.3342.19200300.100.1.1=AD1097C000014DE2B7191B00004
776
Date: 2016.02.16 14:10:37 -0500

AA:cj



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JIM BOXOLD
SECRETARY

March 24, 2016

RE: DBE AFFIRMATIVE ACTION PLAN APPROVAL

The Disadvantaged Business Enterprise Affirmative Action Plan submitted by:

M of Tallahassee, Inc.

has been approved for a period of three years. Please update and submit a new plan before the expiration date shown below. If you do not plan to work on any Florida Department of Transportation Projects, it will not be necessary for you to submit a new plan.

If you need any additional information, please contact me at (850) 414-4747.

Sincerely,

A handwritten signature in black ink, appearing to read "Stefan", with a long horizontal stroke extending to the right.

Stefan Kulakowski
State Contract Compliance Administrator
Equal Opportunity Office

AFFIRMATIVE ACTION PLAN EXPIRATION: March 24, 2019

This plan is one of the requirements to bid on contracts for the Florida Department of Transportation. This is not approval for Unified Certification Program Disadvantaged Business Enterprise (UCP/DBE) Certification. For additional information in becoming a DBE, contact the Certification Section at (850)414-4747.

M OF TALLAHASSEE, INC.

4223 Capital Circle N.W.
Tallahassee, Florida 32303
Office: (850) 562-1022
Fax: (850) 562-8151

EQUAL OPPORTUNITY OFFICE
2016 MAR 24 AM 8:25

DBE AFFIRMATIVE ACTION PLAN

POLICY STATEMENT

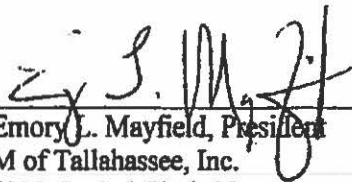
It is the policy of M of Tallahassee, Inc. that disadvantaged businesses, as defined by 49 CFR Part 26, Subpart D and implemented under Rule Chapter 14-78, F.A.C., shall have the opportunity to participate as subcontractors and suppliers on all contracts awarded by the Florida Department of Transportation.

The requirements of Rule Chapter 14-78, F.A.C., shall apply to all contracts entered into between the Florida Department of Transportation and M of Tallahassee, Inc. Subcontractors and/or suppliers to M of Tallahassee, Inc. will also be bound by the requirements of Rule Chapter 14-78, F.A.C.

M of Tallahassee, Inc., and its subcontractors shall take all necessary and reasonable steps in accordance with Chapter 14-78, F.A.C., to ensure that disadvantaged businesses have the opportunity to compete and perform work contracted with the Florida Department of Transportation.

M of Tallahassee, Inc., and its subcontractors shall not discriminate on the basis of race, color, religion, national origin, disability, sex or age in the administration of contracts with the Department of Transportation.

M of Tallahassee, Inc., has designated and appointed a Liaison Officer to develop, maintain, and monitor the DBE Affirmative Action Plan implementation. The Liaison Officer will be responsible for disseminating this policy statement throughout M of Tallahassee and to disadvantaged controlled businesses. The statement is posted on notice boards of the Company.



Emory J. Mayfield, President
M of Tallahassee, Inc.
4223 Capital Circle N.W.
Tallahassee, Florida 32303

March 21, 2016

FLORIDA DEPARTMENT OF TRANSPORTATION
EQUAL OPPORTUNITY OFFICE

APPROVED: SB
DISAPPROVED: _____
DATE: 3/24/16

I. DESIGNATION OF LIAISON OFFICER

M of Tallahassee, Inc. will aggressively recruit disadvantaged businesses as subcontractors and suppliers for all contracts with the Florida Department of Transportation. The Company has appointed a Liaison Officer to develop and maintain this Affirmative Action Plan in accordance with the requirements of Rule Chapter 14-78, F.A.C.

The Liaison Officer will have primary responsibility for developing, maintaining, and monitoring the Company's utilization of disadvantaged subcontractors in addition to the following specific duties:

- (1) The Liaison Officer shall aggressively solicit bids from disadvantaged business subcontractors for all Florida Department of Transportation contracts;
- (2) The Liaison Officer will submit all records, reports, and documents required by the Florida Department of Transportation, and shall maintain such records for a period of not less than three years, or as directed by any specific contractual requirements of the Florida Department of Transportation.

The following individual has been designated Liaison Officer with responsibility for implementing the Company's affirmative action program in accordance with the requirements of the Florida Department of Transportation.

FEIN# 59-2280870
Henry Mayfield
M of Tallahassee, Inc.
4223 Capital Circle N.W.
Tallahassee, Florida 32303
(850) 562-1022

II. AFFIRMATIVE ACTION METHODS

In order to formulate a realistic Affirmative Action Plan, M of Tallahassee, Inc. has identified the following known barriers to participation by disadvantaged subcontractors, before describing its proposed affirmative action methods:

1. Lack of qualified disadvantaged subcontractors in our specific geographical areas of work;
2. Lack of certified disadvantaged subcontractors who seek to perform Florida Department of Transportation work;
3. Lack of interest in performing on Florida Department of Transportation contracts;
4. Lack of response when requested to bid;
5. Limited knowledge of Florida Department of Transportation plans and specifications to prepare a responsible bid.

In view of the barriers to disadvantaged businesses stated above, it shall be the policy of M of Tallahassee, Inc. to provide opportunity by utilizing the following affirmative action methods to ensure participation on the contracts with the Florida Department of Transportation. M of Tallahassee, Inc. will:

1. Provide written notice to all certified DBE subcontractors in the geographical area where the work is to be subcontracted by the Company.
2. Advertise in minority-focused media concerning subcontract opportunities with the Company.
3. Select portions of the work to be performed by DBE's in order to increase the likelihood of meeting contract goals (including, where appropriate, breaking down contracts into economically feasible units to facilitate DBE participation);
4. Provide adequate information about the plans, specifications, and requirements of the contract, not rejecting subcontractors without sound reason based on a thorough investigation of their capabilities;
5. Waive requirements of performance bonds where it is practical to do so;
6. Attend pre-bid meetings held by the Florida Department of Transportation to apprise disadvantaged subcontractors of opportunities with the Company;
7. Follow up on initial solicitations of interest to DBE subcontractors to determine with certainty whether the DBE Company is interested in the subcontract opportunity.

M of Tallahassee, Inc. understands that this list of affirmative action methods is not exhaustive and will include additional approaches after having established familiarity with the disadvantaged subcontracting community and/or determined the stated approaches to be ineffective.

III. IMPLEMENTATION

On contracts with specific DBE goals, M of Tallahassee will make every effort to meet contract goals as stated by utilizing its affirmative action methods. On projects with no specific goals, the company will, as an expression of good faith, seek to utilize DBE subcontractors where work is to be subcontracted.

IV. REPORTING

M of Tallahassee, Inc., shall keep and maintain such records as are necessary to determine the Company's compliance with its DBE Affirmative Action Plan.

The Company will design its record keeping system to indicate.

1. The number of DBE subcontractors and suppliers used by the Company, identifying the items of work, materials and services provided;

2. The efforts and progress being made in obtaining DBE subcontractors through local and community sources;
3. Documentation of all contracts, to include correspondence, telephone calls, newspaper advertisements, etc., to obtain DBE participation on all Florida Department of Transportation projects;
4. The Company shall comply with Florida Department of Transportation's requirements regarding payments to subcontractors including DBE's for each month (estimate period) in which the companies have worked.

V. DBE DIRECTORY

M of Tallahassee, Inc. will utilize the DBE Directory published by the Florida Department of Transportation.

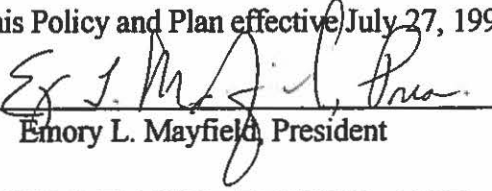
The Company will distribute Form Number 275-030-01, Schedule A Certification Form Number 1, to potential DBE contractors and assist in their completion.

M OF TALLAHASSEE, INC.

4223 Capital Circle N.W.
Tallahassee, Florida 32303
Office: (850) 562-1022
Fax: (850) 562-8151

M of Tallahassee, Inc. has adopted this Policy and Plan effective July 27, 1998.

Revised: September 14, 2005

By: 
Emory L. Mayfield, President

**EQUAL EMPLOYMENT OPPORTUNITY AND
AFFIRMATIVE ACTION**

EEO/AA POLICY STATEMENT

It is the policy of M of Tallahassee, Inc., to comply and cooperate with all applicable regulations of the Equal Employment Opportunity Provisions of the Civil Rights Act of 1964, Presidential Executive order 11246, the rehabilitation Act of 1973 (29 U.S.C. 793), the Americans with Disabilities Act (ADA) of 6/26/90, and the Vietnam Era Veterans Readjustment Assistance Act of 1972, all as amended. This policy pertains, as far as the responsibility of this company is concerned, to any arrangement under which employees, including trainees, are selected for work.

It is the policy of M of Tallahassee, Inc., not to discriminate against any employee or applicant for employment because of race, religion, color, age, sex, national origin, disabilities, or Vietnam Era and Special Disabled Veterans status. This company will take affirmative action to insure an equal employment opportunity to all qualified persons, and that employees are treated equally during employment without regard to their race, religion, color, age, sex, national origin, disabilities, or Vietnam Era and Special Disabled Veterans status. Such action shall include but not be limited to:

1. Employment upgrading, demotion, or transfer.
2. Recruitment of recruitment advertising.
3. Layoff or termination.
4. Rates of pay or other forms of compensation.
5. Selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.
- 6.

EEO OFFICER DUTIES

It is the policy of M of Tallahassee, Inc. to continuously maintain the appointment of an Equal Employment Opportunity Officer (EEO Officer). The name and contact information for the EEO Officer will be communicated along with this Policy. The EEO Officer will have the responsibility for effectively administering and promoting an active program of equal employment opportunity within the Company. The EEO Officer will coordinate the EEO

efforts of superintendents, supervisors, foremen, and others in the position of hiring personnel. She will make recommendations, where appropriate, to correct any deficiencies found in the company's program.

EEO/AA PLAN

It is the policy of M of Tallahassee, Inc. not to discriminate by virtue of race, religion, color, age, sex, national origin, disabilities or Vietnam Era and Special Disabled Veterans status, in the functions of hiring, placement, up-grading, transfer or demotion. In addition, there shall not be any discriminatory practices in recruitment, advertising, or solicitation for employment, rates of pay or other forms of compensation, selection for training including apprenticeship, layoff or termination, or treatment during employment.

We will not use goals, timetables or affirmative action standards to discriminate against any person because of their race, religion, color, age, national origin, disabilities, or Vietnam Era and Special Disabled Veteran's status. M of Tallahassee, Inc. will not transfer minority or female employee or trainees from one Company to another or from project to project for the sole purpose of meeting goals.

M of Tallahassee, Inc. has affirmative action obligations in the hiring of minorities, females, disabled and veterans applicants. We will take the following actions to ensure equal employment opportunity:

- A. We will ensure and maintain a working environment free of harassment, intimidation, and coercion at all times and in all facilities at which our employees are assigned to work. We shall specifically ensure that all foremen, superintendents and other on-site supervisory personnel are aware of and carry out our obligations to maintain such a working environment, with specific attention to minority or female individuals working at such sites or facilities.
- B. We shall establish and maintain a list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations when we have employment available, and maintain a record of their responses.
- C. We will maintain a current file of the names, addresses and telephone numbers of each minority and female off-the-street applicant and minority female referral from a union, a recruitment source or community organization and of what action was taken with respect to each individual. If such individual was sent to the Union hiring hall for referral and was not referred back to the Contractor by the union or, if referred, not employed by the Contractor, this shall be documented in the file with the reason therefore; along with whatever additional actions the Contractor may have taken.
- D. M of Tallahassee, Inc. has no union affiliations or collective bargaining agreements, however, if we feel any member of a particular union is

hampering our affirmative action policies, we will immediately notify the F.D.O.T. Director of Construction in writing in order to correct the problem and meet our obligations.

- E. We will develop on-the-job training opportunities and/or participate in training programs for the area(s), which expressly include minorities and women, including upgrading programs and apprenticeship, and trainee programs relevant to our employment needs, especially those programs funded and/or approved by the Department of Labor. We shall provide notice of these programs to the sources compiled under B above.
- F. We will disseminate the company EEO policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting us in meeting our EEO obligations as needed: by including it in any policy with all management personnel and with all minority and female employees at least once a year; and by posting the company's EEO policy on bulletin boards accessible to all employees at each location where construction work is being performed.
- G. We will review, at least annually our EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination, or other employment decisions including specific review of these items with on-site supervisory personnel such as Superintendents, General Foreman, etc., prior to the initiation of construction work at any job site. A written record shall be made and maintained identifying the time and place of these meetings, persons attended, subject matter discussed, and disposition of the subject matter.
- H. We will disseminate our company EEO policy externally by stating that we are an "Equal Opportunity Employer" in all advertising, specifically including minority and female news media and providing written notification and discussing the company EEO policy with other Contractors and Subcontractors with whom the company does or anticipates doing business with.
- I. We will direct our recruitment efforts, both oral and written, to minority, female, female students and to minority and female recruitment and training organizations serving our recruitment area and employment needs. No later than one month prior to the date for the acceptance of applications for apprenticeship or other training by any recruitment source, we shall send written notification to organizations such as the above describing the opening, screening procedures, and tests to be used in the selection process.
- J. WE will encourage present minority and female employees to recruit other minority persons and women and, where reasonable, provide after school,

summer and vacation employment to minority and female youth, both on the site and in other areas of the workforce.

- K. We will validate all test and other selection requirements where there is an obligation to do so under 41 CFR Part 60-3.
- L. We will conduct, at least annually, an inventory and evaluation at least of all minority and female personnel for promotional opportunities and encourage these employees to seek or to prepare for, through appropriate training, etc., such opportunities.
- M. We will ensure that seniority practices, job classifications, work assignments and other personnel practices, do not have a discriminatory effect by continually monitoring all personnel and employment related activities to ensure that the EEO Policy and our obligations under Executive Order 11246 are being carried out.
- N. We will ensure that all facilities and company activities are non-segregated.
- O. We will document and maintain a record of all solicitations of offers for subcontracts from minority and female construction contractors and suppliers, including circulation of solicitations to minority and female contractor associations and other business association.
- P. We will conduct a review, at least annually, of all supervisors' adherence to and performance under the company EEO policies and affirmative action obligations.

If at any time anyone feels he or she has been discriminated against because of sex, race, religion, color, age, national origin, disabilities or Vietnam Era and Social Disabled Veterans status, they should report this matter to the company EEO Officer whose name and contact information is communicated along with this policy.

The Equal Employment Opportunity Officer will investigate all complaints of alleged discrimination made to the company in connection with its contractual obligations. The Equal Employment Officer will attempt to resolve such complaints, corrective actions to be taken and will then follow up on actions taken and their effect. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective actions shall include such other persons. Upon completion of each investigation, the Equal Employment Opportunity Officer will inform every complainant of all of his or her avenues of appeal.

The addresses shown below are such avenues for appeal:

Kristy Brown
EEO Officer
M of Tallahassee, Inc.
4223 Capital Circle N.W.
Tallahassee, Florida 32303
(850) 562-1022

U.S. Employment Opportunity
Commission
Miami District Office
One Biscayne Tower
2 South Biscayne Blvd., Suite 2700
Miami, Florida 33131
(800) 669-4000

Florida Commission on Human Relations
2009 Apalachee Parkway, Ste. 100
Tallahassee, Florida 32301-4857
(850) 488-7082 or (800) 342-8170

U.S. Department of Labor
Regional Director
Office of Federal Contract Compliance
61 Forsyth St. SW, Room 7B75
Atlanta, Georgia 30303
(404) 562-2424

U.S. Federal Highway Administration
227 N. Bronough Street, Rm. 2015
Tallahassee, Florida 32301
(850) 942-9650

U.S. Equal Employment Opportunity
Commission
Tampa District Office
501 East Polk Street, Suite 1020
Tampa, Florida 33602
(800) 669-4000

RESOLUTION NO.

WHEREAS, the Board of County Commissioners of Leon County, Florida, approved a budget for fiscal year 2015/2016; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 129, Florida Statutes, desires to amend the budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Leon County, Florida, hereby amends the budget as reflected on the Departmental Budget Amendment Request Form attached hereto and incorporated herein by reference.

Adopted this 10th day of May, 2016.

LEON COUNTY, FLORIDA

BY: _____
Bill Proctor, Chairman
Board of County Commissioners

ATTEST:
Bob Inzer, Clerk of the Court and Comptroller
Leon County, Florida

BY: _____

Approved as to Form:
Leon County Attorney's Office

BY: _____
Herbert W. A. Thiele, Esq.
County Attorney

FISCAL YEAR 2015/2016 BUDGET AMENDMENT REQUEST

No: BAB16009
Date: 4/25/2016

Agenda Item No:
Agenda Item Date: 5/10/16

County Administrator

Deputy County Administrator

Vincent S. Long

Alan Rosenzweig

Request Detail:

Revenues

Account Information					Current Budget	Change	Adjusted Budget
Fund	Org	Acct	Prog	Title			
305	000	343500	000	COT Reimbursement Old Bainbridge Rd	-	103,533	103,533

Subtotal: 103,533

Expenditures

Account Information					Current Budget	Change	Adjusted Budget
Fund	Org	Acct	Prog	Title			
305	053002	56394	541	Pullen-Old Bainbridge Intersection Improvements: Construction	-	103,533	103,533

Subtotal: 103,533

Purpose of Request:

This amendment appropriates \$103,533 from the City of Tallahassee for water and wastewater utility infrastructure relocation or installation for Old Bainbridge Road and Pullen Road improvements. This Joint Partnership Agreement with the County provides that the City will fund the water and wastewater utility construction work (\$100,786) and 2% of the contract price for the County to administer the contract (\$2,747).

Group/Program Director

Senior Analyst

Scott Ross, Director, Office of Financial Stewardship

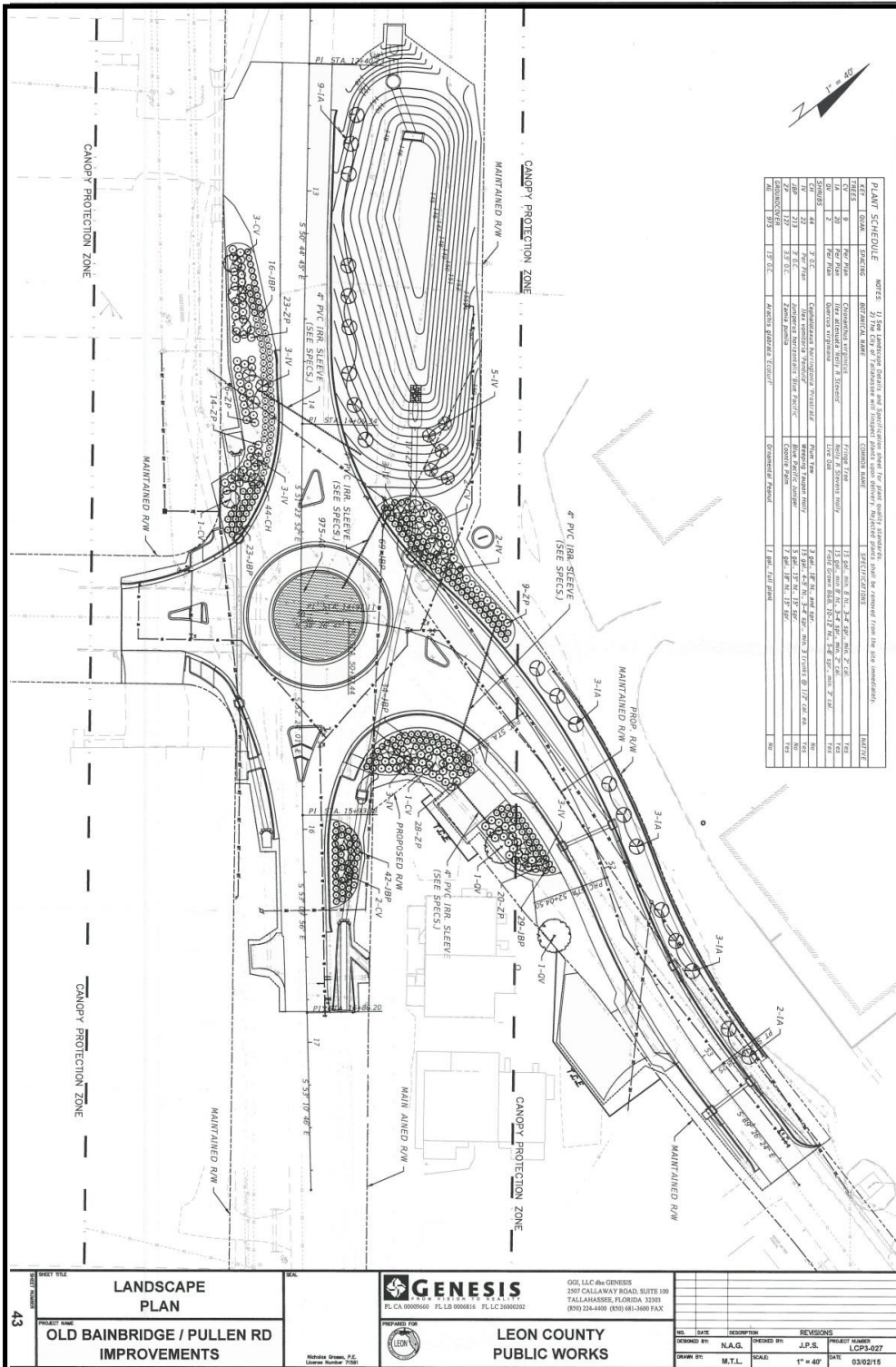
Approved By: Resolution Motion Administrator

Project Rendering Aerial View



SHEET TITLE ROADWAY PLAN VIEW	SCALE 	 0421, LLC dba GENESIS GROUP 2501 CALLAWAY ROAD, SUITE 100 TALLAHASSEE, FLORIDA 32305 (904) 274-4400 (850) 481-3600 FAX	NO. DATE DESCRIPTION REVISIONS 	
			PROJECT NAME OLD BAINBRIDGE / PULLEN RD IMPROVEMENTS	PREPARED BY P.W.N.
SHEET NO. A	DRAWN BY J.P.L.	DATE 08/25/14	SCALE 	DATE 08/25/14

Project Landscape Plan



**LEON COUNTY – CITY OF TALLAHASSEE JOINT PROJECT AGREEMENT
WATER AND WASTEWATER INFRASTRUCTURE RELOCATION OR INSTALLATION
FOR OLD BAINBRIDGE ROAD AND PULLEN ROAD IMPROVEMENTS**

THIS AGREEMENT is made and entered into this 3rd day of June, 2015, by and between the City of Tallahassee, a Florida municipal corporation (“City”), and Leon County, Florida (“County”), a charter county and political subdivision of the State of Florida.

WITNESSETH:

WHEREAS, the County is constructing, reconstructing or otherwise improving the intersection of Old Bainbridge Road and Pullen Road (County Road 0361), which project has been designated by the County as Leon County Bid No. _____, (“Project”); and,

WHEREAS, completion of the Project requires the adjustment, relocation, or installation of certain City water distribution and wastewater collection infrastructure within the Project (“Utility Work”); and

WHEREAS, the City has expressed its desire to have such Utility Work constructed by the County’s contractor for the Project, simultaneously with construction of the Project, and has agreed to pay certain costs incurred for construction of such Utility Work; and,

WHEREAS, the City has requested the County to include, in its bid documents for the Project, both the plans and specifications for the Project (“Project Plans”) and the plans and specifications furnished by the City for construction of such Utility Work; and

WHEREAS, the plans and specifications for the said Utility Work are being prepared and will be reviewed and approved by the County and the City at 60% completion and 90% completion; and

WHEREAS, the County and the City have determined that it would be in the best interest of the general public and to the economic advantage of both parties to enter into this Joint Project Agreement (“JPA”) to provide for completion of the Utility Work simultaneously with, and as part of the same contract as, the Project;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows:

1. This JPA will apply to all Utility Work located within the limits of the Project, as included in the plans, specifications, and estimate prepared by the City and approved by the County.

2. (a) The City shall deliver to the County, at 60% completion and at 90% completion and in a form suitable for reproduction by the County, certain design documents, plans, and specifications for the Utility Work, which shall be more specifically identified as "Old Bainbridge / Pullen Road Improvements Utility Adjustment Sheet" ("Utility Work Plans") and which shall include a Utility Work Schedule ("UWS"). Such Utility Work Plans shall include a summary of the unit price elements of work ("Utility Pay Items") and associated estimated quantities included within the Utility Work. The City shall pay for the quantities of all such Utility Pay Items actually installed in construction of the Utility Work.

(b) The City shall also pay a pro-rata share of the lump sum contract prices for mobilization and maintenance of traffic. Such share shall be determined by calculating the sum of the extended contract prices for the Utility Pay Items, then dividing that result by the sum of the extended contract prices for all roadway items except mobilization and maintenance of traffic costs. The result shall be expressed as a percentage to the nearest one-hundredth percent. The City's share of costs for mobilization and maintenance of traffic shall be equal to the total cost of mobilization and maintenance of traffic multiplied by the above computed percentage.

(c) The City shall also pay a Project administration fee to the County in the amount of 2% of the total of all other costs paid by the City in accordance with Sections 2(a) and 2(b). This fee shall be considered full compensation to the County for CEI services rendered with respect to the Utility Work and for services provided by the County in administration of the Agreement.

3. All of the work under the JPA shall be done in accordance with the Project Plans, and the Utility Work Plans, which are by reference made a part hereof. The City shall be responsible for verifying the accuracy of the County's underground survey information. The County and the City, as applicable, shall promptly notify the other of any errors or omissions discovered in such survey information. All errors, omissions and changes in the Utility Work Plans shall be the sole responsibility of the City, except for those changes resulting from or caused by errors, omissions or changes in the

design of the Project after completion of the 100% design documents, which changes shall be the sole responsibility of the County and shall be made by the City's design professional at the County's sole cost. In the event of conflict between the Utility Work Plans and the Project Plans, the Project Plans shall take precedence.

4. The City, at its sole expense, shall furnish all engineering inspection, testing and monitoring of the Utility Work and shall furnish the County's engineer, at her/his request, copies of log books and quantities of work performed by the Contractor. The County shall provide all necessary Project contract administration and enforcement. The coordination of the Utility Work with that of the County's Contractor, and with work by other utility owners or their contractors, shall be the responsibility of the County, and the City shall cooperate fully in this matter. The City, upon request of the County, shall promptly furnish to the County all information required for change orders or supplemental agreements pertaining to the Utility Work.

5. The County shall receive bids for the Utility Work at the same time as bids for the Project. All bids for said Utility Work shall be taken into consideration in the award of a contract for construction of the Project, which award shall be based on the lowest responsive, responsible bid for all work (i.e., both the Project and the Utility Work), and the City shall have the right to review and reject any and all bids on the Utility Work. If the City decides not to have the Utility Work constructed as part of the contract for construction of the Project, then the City shall arrange, at its own expense, for the prompt construction of the Utility Work in accordance with the relocation schedule submitted by the City. In the event the City elects this option, the following shall apply:

- (a) City shall notify the County of its intent to so proceed.
- (b) Upon the receipt of such notice, the County shall amend the contract documents for the Project prior to award.
- (c) The City shall cooperate with the County's contractor to schedule the sequence of the Utility Work so as not to delay the work of the County's contractor.
- (d) The City, or its contractor for the Utility Work, shall defend any legal claims asserted against the County by the County's contractor due solely to delays caused by the City's failure to comply with the relocation schedule provided by the City to the County; provided, however, that neither the City nor its contractor for the Utility Work shall be responsible for delays in construction of the Utility Work caused by circumstances beyond its reasonable control.
- (e) In performance of the Utility Work, the City shall require its contractor to comply with all applicable laws and with the applicable maintenance of traffic plan. In addition,

the City's contractor shall comply with the same conditions required of the County's contractor in paragraph 8 below including, but not limited to, the posting of a performance bond and the naming of the County as an additional insured.

6. All adjustments, relocations, repairs and other work required to be performed in relation to utility facilities, if any, within this Project which are owned by the City but not included in the Utility Work Plans shall be the sole responsibility of the City and shall be the subject of either a separate agreement and utility relocation schedule or a change order to the County's contract for construction of the Project. All such work shall be coordinated with the construction of this Project and performed in a manner that will not cause delay to the County's contractor.

7. All services and work under the construction contract for the Project shall be performed to the satisfaction of the Leon County Director of Public Works, or his designee; provided, however, that all Utility Work performed under that contract shall also be performed to the satisfaction the City's General Manager – Underground Utilities, or his designee. The said County and City representatives shall decide all questions, difficulties and disputes of whatever nature, which may arise under or by reason of the construction contract for the Project, the prosecution and fulfillment of the services thereunder, and the character, quality, amount and value thereof; and their decision upon all claims, questions and disputes thereunder, with the exception of those related to or affecting the Utility Work, shall be final and conclusive upon the parties hereto. All such questions, difficulties, claims, and disputes regarding the Utility Work Plans or the Utility Work shall be decided or resolved, in good faith, in accordance with the following process:

(a) The Parties shall attempt to resolve all disputes that arise under this Agreement in good faith and in accordance with this section. The provisions of the "Florida Governmental Conflict Resolution Act" shall not apply to disputes under this Agreement, as an alternative dispute resolution process is hereby set forth in this section. The aggrieved Party shall give notice to the other Party in writing, setting forth the name of the Party involved in the dispute, the nature of the dispute, the date of occurrence (if known), and the proposed resolution, hereinafter referred to as the "Dispute Notice."

(b) Should the parties be unable to reconcile any dispute, the City Manager and County Administrator, or their designees, shall meet at the earliest opportunity, but in any event within ten (10) days from the date that the Dispute Notice is received, to discuss and resolve the dispute. If the dispute is resolved to the mutual satisfaction of the Parties, they shall report their decision, in writing, to the City Commission and the Board of County Commissioners. If the City

Manager and County Administrator, or their designees, are unable to reconcile the dispute, they shall report their impasse to the City Commission and the Board of County Commissioners, who shall then convene a meeting at their earliest appropriate opportunity, but in any event within forty-five (45) days following receipt of a Dispute Notice, to attempt to reconcile the dispute.

(c) If a dispute is not resolved by the foregoing steps within forty-five (45) days after the receipt of the Dispute Notice, unless such time is extended by mutual agreement of the Parties, then either Party may require the dispute to be submitted to mediation by delivering written notice thereof (the "Mediation Notice") to the other Party. The mediator shall meet the qualifications set forth in Rule 10.100(d), Florida Rules for Mediators, and shall be selected by the Parties within ten (10) days following receipt of the Mediation Notice. The mediator shall also have sufficient knowledge and experience in the subject of the dispute. If agreement on a mediator cannot be reached in that ten (10) day period, then either Party can request that a mediator be selected by an independent conflict resolution organization, and such selection shall be binding on the Parties. The costs of the mediator shall be borne equally by the Parties.

(d) If an amicable resolution of a dispute has not been reached within sixty (60) calendar days following selection of the mediator, or by such later date as may be mutually agreed upon by the Parties, then, upon the agreement of both Parties, such dispute may be referred to binding arbitration; otherwise, each Party may pursue whatever remedies may be available at law, in equity, or otherwise. If the dispute is so referred, such arbitration shall be conducted in accordance with the Florida Arbitration Code (Chapter 682, Florida Statutes).

(1) Such arbitration shall be initiated by delivery, from one Party (the "Claimant") to the other Party (the "Respondent"), of a written demand therefore containing a statement of the nature of the dispute and the amount, if any, involved. The Respondent, within ten (10) days following its receipt of such demand, shall deliver an answering statement to the Claimant. After the delivery of such statements, either Party may make new or different claims by providing the other(s) with written notice thereof specifying the nature of such claims and the amount, if any, involved.

(2) Within ten (10) days following the delivery of such demand, each Party shall select an arbitrator and shall deliver written notice of that selection to the other. If either Party fails to select an arbitrator within such time, the other Party may make application to the court for such appointment in accordance with the Florida Arbitration Code. Within ten (10) days following delivery of the last of such written notices, the two arbitrators so selected shall confer and shall select an additional arbitrator.

(3) The arbitration hearing shall be commenced in Leon County, Florida within sixty (60) days following selection of the additional arbitrator. Except as may be specifically provided herein, the arbitration shall be conducted in accordance with Rules R-23 – R-48 of the Commercial Arbitration Rules of the American Arbitration Association.

8. Following receipt of bids for the Project, the County will promptly notify the City of the proposed contract price, and the City, if it desires to proceed with the Utility Work as part of the County's contract for the Project, shall deposit with the County the proposed contract price for the Utility Work and the fee for administration of the Project, all calculated in accordance with Section 2 hereinabove, which amounts shall be held in escrow by the County and disbursed only in accordance with this Agreement. As required by Florida law, the County will require its contractor to post a performance and payment bond for all work on the Project, including the Utility Work, and will ensure that the City is named as a beneficiary or insured under such bond. The bond shall be issued by a surety and in a form reasonably acceptable to both the City and the County. The County shall also cause the City to be named as an additional insured with respect to insurance coverage, other than Workers' Compensation or Professional Liability, provided by the County's contractor and will provide the City with a copy of any certification of coverage received by the County from its contractor.

9. At any time after award of the contract for the construction of the Project, the County may request the City to make an additional deposit if it determines that the cost of the Utility Work will exceed the amounts previously deposited by the City as a result of an increase in the quantity of one or more Utility Pay Items, or construction delay caused by the City, or changes in the Utility Work for which the City is responsible under Section 3 hereof. The County shall request such additional deposit by delivery of invoices to the City. The City, subject to resolution of any disputes in accordance with Section 7 hereinabove, shall make such additional deposit within thirty (30) days following delivery of such invoice to the City. Should the total amount of all deposits for the Utility Work made by the City exceed the actual cost of the Utility Work and the 2% County administration fee, the County shall refund such difference to the City within ten (10) days following final payment for such work to the County's contractor.

10. The Utility Work shall be performed in accordance with the Utility Work Plans, which include the City's standard specifications. The County shall neither accept nor make payment for any portion of the Utility Work that fails to meet such requirements unless the City consents, in writing, to

such payment. All requests for payment for any portion of the Utility Work must be approved by the City before payment. Each month, the County's construction contractor shall submit to the County and the City a separate invoice for the Utility Work that has been completed and accepted. The City's project manager shall have seven (7) calendar days from receipt of an invoice to review the invoice and shall raise any objections or issues he or she may have with respect to the invoice. The County shall not pay any invoices of the County's contractor for which the City has raised objection or taken issue until said issues have been resolved to the City's satisfaction. Upon completion and acceptance of the Utility Work, the City shall own, control, maintain and be responsible for all such facilities, according to the terms of the applicable utility permit.

11. The City and County covenant and agree that each shall indemnify, defend, save and hold the other harmless from any and all legal actions, claims or demands by any person or legal entity caused by the negligent or wrongful act or omission of any employee of the party while acting within the scope of their employment or office. The liability of the parties, as set forth in this paragraph, is intended to be consistent with limitations of Florida law, including the state's waiver of sovereign immunity pursuant to Section 768.28, Florida Statutes. No obligation imposed by this paragraph shall be deemed to alter said waiver or to extend the liability of either party beyond such limits, nor shall any such obligation be deemed or construed as a waiver of any defense of sovereign immunity to which a party may be entitled.

12. Within one hundred eighty (180) days following the date of final payment under the contract for the Project, the County shall furnish the City with two (2) copies of its final and complete billing of all costs incurred in connection with the Utility Work, such statement to follow as closely as possible the order of the items contained in the job estimate. The final accounting will show the following with regard to the Project and the Utility Work: a description of the work and the site; the date on which the first work was performed and the date on which the last work was performed or the last item of billed expense was incurred; and the location where the records and accounts billed can be audited. All cost records and accounts maintained by the County or their consultant managing construction of the Project shall be subject to audit by a representative of the City within three (3) years after acceptance of the Project.

13. Should either party be required to file litigation to enforce any terms or provisions of this Agreement, the prevailing party in such litigation shall be entitled to an award of its reasonable attorneys' fees and court costs.

14. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements or understandings applicable to the matters contained herein, and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representation or agreements whether oral or written. It is further agreed that no modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

15. This Agreement shall be governed, interpreted and construed according to the laws of the State of Florida.

16. If any part of this Agreement shall be determined to be invalid or unenforceable by a court of competent jurisdiction, or by any other legally constituted body having the jurisdiction to make such determination, the remainder of this Agreement shall remain in full force and effect provided that the part of the Agreement thus invalidated or declared unenforceable is not material to the intended operation of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers, and their official seals hereto affixed, the day and year first above written.

CITY OF TALLAHASSEE

Attest:

By: James O. Cooke, IV
James O. Cooke, IV
City Treasurer-Clerk

By: Anita Favors Thompson
Anita Favors Thompson, City Manager
Date: 4/24/15

Approved as to form:

By: [Signature]
City Attorney



LEON COUNTY, FLORIDA



By: Vincent S. Long
Vincent S. Long, County Administrator
Date: 6.3.15

ATTEST:

Bob Inzer, Clerk of the Circuit Court
and Comptroller, Leon County, Florida

By: John Stott, Deputy Clerk

Approved as to Form:

Leon County Attorney's Office

By: [Signature]
Herbert W.A. Thiele, Esq.
County Attorney

**LEON COUNTY PURCHASING DIVISION
 BID TABULATION SHEET
 BC-04-21-16-21**

Bid Title: Old Bainbridge and Pullen Roads Roundabout

Opening Date: Thursday, April 21, 2016 at 2:00 PM

Item/Vendor	Peavy & Son	M of Tallahassee	Sandco
Manual Signature	✓	✓	✓
Addendum 1&2	✓	✓	✓
Affidavit of Immigration	✓	✓	✓
MWSBE	✓	✓	✓
Tie Bid	✓	✓	✓
Insurance	✓	✓	✓
Contractor Business	✓	✓	✓
Non-Collusion	✓	✓	✓
Certificate Debarment	✓	✓	✓
Certificate of trades	✓	✓	✓
Bond	✓	✓	✓
Base Bid from UPS	✓		
	\$ 904,181	\$ 568,469	764,346
No Bid:	904,181 Dal		

Tabulated By: Don Landham



**LEON COUNTY PURCHASING DIVISION
 BID TABULATION SHEET
 BC-04-21-16-21**

Bid Title: Old Bainbridge and Pullen Roads Roundabout

Opening Date: Thursday, April 21, 2016 at 2:00 PM

Item/Vendor	Allen's Excavation		
Manual Signature	/		
Addendum 1&2	/		
Affidavit of Immigration	/		
MWSBE	/		
Tie Bid	✓		
Insurance	✓		
Contractor Business	✓		
Non-Collusion	✓		
Certificate Debarment	✓		
Certificate of trades	✓		
Bond	✓		
Base Bid from UPS			
	\$ 860,000 ⁰⁰		
No Bid:	\$		

Tabulated By: Don Lanham



OLD BAINBRIDGE ROAD AND PULLEN ROAD - INTERSECTION IMPROVEMENT SUMMARY OF PAY ITEMS ROADWAY

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
0101 1	MOBILIZATION	LS	1	\$22,550.00	\$22,550.00
0102 1	MAINTENANCE OF TRAFFIC	LS	1	\$14,000.00	\$14,000.00
104-10-3	SEDIMENT BARRIER	LF	460	\$4.00	\$1,840.00
104-18	INLET PROTECTION SYSTEM	EA	12	\$100.00	\$1,200.00
110-1-1	CLEARING & GRUBBING (Includes Tree Removal)	AC	1.5	\$17,000.00	\$25,500.00
0120 1	REGULAR EXCAVATION	CY	1435.0	\$6.00	\$8,610.00
0120 6	EMBANKMENT	CY	1767.0	\$10.00	\$17,670.00
0160 4	TYPE B STABILIZATION	SY	2829.0	\$2.00	\$5,658.00
2850701	OPTIONAL BASE, BASE GROUP 01	SY	207.0	\$5.75	\$1,190.25
0285706	OPTIONAL BASE, BASE GROUP 06	SY	2491.0	\$11.50	\$28,646.50
0334 1 12	SUPERPAVE ASPHALTIC CONC, TRAFFIC B - 2.0"	TN	231.0	\$100.00	\$23,100.00
0334 1 12	SUPERPAVE ASPHALTIC CONC, TRAFFIC B - 2.5"	TN	118.0	\$100.00	\$11,800.00
0339 1	MISCELLANEOUS ASPHALT PAVEMENT	TN	7.0	\$160.00	\$1,120.00
0400 1 2	CONCRETE CLASS I, ENDWALLS	CY	3.34	\$1,440.00	\$4,809.60
0425 1351	INLETS, CURB, TYPE P-5, <10'	EA	6	\$3,483.73	\$20,902.38
0425 1451	INLETS, CURB, TYPE J-5, <10'	EA	2	\$4,507.69	\$9,015.38
0425 1541	INLETS, DT BOT, TYPE D, <10'	EA	1	\$3,572.15	\$3,572.15
0425 1551	INLETS, DT BOT, TYPE E, <10'	EA	1	\$3,181.42	\$3,181.42
0425 2 91	MANHOLES, J-8, <10'	EA	3	\$4,056.10	\$12,168.30
0430175118	PIPE CULVERT, OPTIONAL MATERIAL, ROUND, 18"S/CD	LF	732.0	\$46.96	\$34,374.72
0430175124	PIPE CULVERT, OPTIONAL MATERIAL, ROUND, 24"S/CD	LF	170.0	\$55.39	\$9,416.30
0430175136	PIPE CULVERT, OPT MATERIAL, ROUND, 36"S/CD	LF	392.0	\$89.13	\$34,938.96
0430982138	MITERED END SECTION, OPTIONAL ROUND, 36" CD	EA	1	\$2,281.16	\$2,281.16
0430984125	MITERED END SECTION, OPTIONAL ROUND, 18" SD	EA	1	\$910.30	\$910.30
0440 1 50	UNDERDRAIN, TYPE V	LF	70.00	\$130.00	\$9,100.00
0440 73 2	UNDERDRAIN OUTLET PIPE, 6"	LF	21.00	\$30.00	\$630.00
0520 1 10	CONCRETE CURB & GUTTER, TYPE F	LF	1072.0	\$17.00	\$18,224.00
0520 2 4	CONCRETE CURB, TYPE D	LF	188.0	\$30.00	\$5,640.00
0520 2 8	CONCRETE CURB, TYPE RA	LF	210.0	\$25.00	\$5,250.00
0520 70	CONCRETE TRAFFIC SEPARATOR, SPECIAL- VARIABLE WIDTH	SY	64.0	\$66.00	\$4,224.00
0522 1	CONCRETE SIDEWALK AND DRIVEWAYS, 4" THICK	SY	204.0	\$38.50	\$7,854.00
0522 2	CONCRETE SIDEWALK AND DRIVEWAYS, 6" THICK	SY	417.0	\$45.00	\$18,765.00
0524 1 2	CONCRETE DITCH PAVEMENT, NON REINFORCED, 4"	SY	60.0	\$66.00	\$3,960.00
0527 2	DETECTABLE WARNINGS	SF	80.0	\$35.00	\$2,800.00
530 3 4	RIP RAP	TN	8.0	\$90.00	\$720.00
0536 1 1	GUARDRAIL -ROADWAY	LF	206.0	\$24.75	\$5,098.50
0536 85 22	GUARDRAIL END ANCHORAGE ASSEMBLY- FLARED	EA	2	\$2,250.00	\$4,500.00
0550 10212	FENCING, TYPE B, 0.5-5.0', W/ VINYL COATING	LF	191.00	\$15.50	\$2,960.50
0570 1 2	PERFORMANCE TURF, SOD	SY	2972.00	\$3.72	\$11,055.84
LC 001	TREE MITIGATION/CERTIFIED ARBORIST	LS	1	\$12,000.00	\$12,000.00
LC 002	DEWATERING	LS	1	\$5,000.00	\$5,000.00
0700 1 11	SINGLE POST SIGN, F&I GROUND MOUNT, UP TO 12 SF	AS	21	\$230.00	\$4,830.00
0710 11101	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, SOLID, 6"	GM	0.25	\$1,800.00	\$453.60
0710 11102	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, SOLID FOR INTERCHANGE AND URBAN ISLAND, 8"	GM	0.02	\$2,000.00	\$30.00
0710 11123	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, SOLID FOR CROSSWALK AND ROUNDABOUT, 12"	LF	60.00	\$1.50	\$90.00
0710 11124	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, SOLID FOR DIAGONAL OR CHEVRON, 18"	LF	59.00	\$2.00	\$118.00
0710 11141	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, 2-4 DOTTED GUIDELINE/ 6-10 DOTTED EXTENSION, 6"	GM	0.02	\$15,000.00	\$315.00
0710 11170	PAINTED PAVEMENT MARKINGS, STANDARD, WHITE, ARROWS	EA	8.00	\$72.00	\$576.00
0710 11201	PAINTED PAVEMENT MARKINGS, STANDARD, YELLOW, SOLID, 6"	GM	0.31	\$2,000.00	\$610.00
0710 11224	PAINTED PAVEMENT MARKINGS, STANDARD, YELLOW, SOLID FOR DIAGONAL OR CHEVRON, 18"	LF	86.00	\$2.00	\$172.00
0580 1 1	LANDSCAPE COMPLETE- SMALL PLANTS	LS	1	\$18,000.00	\$18,000.00
0580 1 2	LANDSCAPE COMPLETE- LARGE PLANTS	LS	1	\$18,000.00	\$18,000.00
0590 70	IRRIGATION SYSTEM	LS	1	\$16,000.00	\$16,000.00
SUB TOTAL					\$475,431.86

OLD BAINBRIDGE ROAD AND PULLEN ROAD - INTERSECTION IMPROVEMENT WATER & WASTEWATER PAY ITEMS

WATER					
POTABLE WATER MAIN - STANDARD INSTALLATION - OUTSIDE OF PAVEMENT (Includes Select Fill)					
PWM-02-02-HDP	Water Main, 2", HDPE (PE4710, IPS, DR11, Blue Stripe)	LF	10.0	\$32.20	\$322.00
PWM-02-08-PVC	Water Main, 8", PVC (C-900, DR18)	LF	155.0	\$22.36	\$3,465.80
PWM-02-12-PVC	Water Main, 12", PVC (C-900, DR18)	LF	64.0	\$33.49	\$2,143.36
POTABLE WATER MAIN - STANDARD INSTALLATION - IN PAVEMENT (Includes Select Fill, Sub-base, Base & Asphalt Patch)					
PWM-01-06-PVC	Water Main, 6", PVC (C-900, DR18)	LF	36.0	\$60.00	\$2,160.00
PWM-01-08-PVC	Water Main, 8", PVC (C-900, DR18)	LF	282.0	\$39.00	\$10,998.00
PWM-01-12-PVC	Water Main, 12", PVC (C-900, DR18)	LF	451.0	\$45.00	\$20,295.00
ABANDONMENT OF EXISTING WATER MAIN AND APPURTENANCES					
ABW-01	Abandon Water Main (Not Grout Filled)	LF	510.0	\$5.00	\$2,550.00
ABW-02	Remove Water Main	LF	375.0	\$10.00	\$3,750.00
ABW-03	Remove And Salvage Valve, Valve Nut and Valve Box	EA	2	\$1,000.00	\$2,000.00
ABW-04	Remove And Salvage Fire Hydrant Assembly	EA	2	\$1,000.00	\$2,000.00
POTABLE WATER SERVICES - STANDARD INSTALLATION (MAIN x SERVICE)					
PWS-01-1201-20	Water Service, 12"x1", 0-20 Ft., HDPE (PE4710, CTS, DR9)	EA	2	\$1,507.82	\$3,015.64
FIRE HYDRANT INSTALLATION AND MAINTENANCE					
FHA-01	Fire Hydrant Assembly w/ Valve, Valve Box, And Tee	EA	2	\$3,337.30	\$6,674.60
WATER VALVES					
WBV-02	Ball Valve w/ Valve Box, 2"	EA	1	\$1,038.69	\$1,038.69
WGV-06	Gate Valve w/ Valve Box, 6"	EA	1	\$1,510.26	\$1,510.26
WGV-08	Gate Valve w/ Valve Box, 8"	EA	4	\$2,041.48	\$8,165.92
WGV-12	Gate Valve w/ Valve Box, 12"	EA	4	\$3,202.80	\$12,811.20
TAPPING SLEEVE AND VALVE CONNECTION					
TSV-WM-0808	Tapping Sleeve And Valve, 8"x 8"	EA	1	\$3,275.94	\$3,275.94
CUT-IN Connection to Existing Water Main					
CIW-06	Cut-In Connection to Existing Water Main, 6"	EA	2	\$1,334.46	\$2,668.92
CIW-12	Cut-In Connection to Existing Water Main, 12"	EA	1	\$1,692.46	\$1,692.46
SEWER					
MISCELLANEOUS MANHOLE TOP ADJUSTMENT					
20700	Adjust Existing Sewer Service (Contigent)	EA	1	\$1,000.00	\$1,000.00
MHA-18	Manhole Top Adjustment, 0-18"	EA	2	\$750.00	\$1,500.00
				SUB TOTAL	\$93,037.79
				GRAND TOTAL	\$568,469.65

Date: April 22, 2016

To: Chris Muehlemann, Senior Design Engineer
Engineering Services Division - Department of Public Works

From: Shanea Y. Wilks, Director
Minority, Women, & Small Business Enterprise (MWSBE) - Office of Economic Vitality

Subject: Old Bainbridge and Pullen Roads Roundabout (BC-04-21-16-21)

The Minority, Women, & Small Business Enterprise (MWSBE) Division reviewed the MWBE Participation Plans of four bid respondents to determine if the 17% MBE and 9% WBE Aspirational Targets for Construction Subcontracting were achieved for the Old Bainbridge and Pullen Roads Roundabout Project.

The submitted MWBE Participation Plans for each bidder are as follows:

M of Tallahassee, Inc. met the MWBE Aspirational Targets for Construction Subcontracting; therefore, the Good Faith Effort Form is not required. The MWBE firms listed below are the firms **M of Tallahassee, Inc.** intends to utilize on this project.

Total Bid Amount	\$568,570				
Name of MWBE	Race/Gender	Certifying Agency	Goods & Services	MWBE Dollars	MWBE Utilization Percentage
Capital City Contracting, LLC	African American Male	Leon County	Concrete	\$64,000	11.3%
Gaines & Sons Striping, Inc.	African American Male	City of Tallahassee	Striping, Signs, Sod	\$17,000	3.0%
Florida Developers, Inc.	African American Male	City of Tallahassee	Underdrain, Trucking	\$15,800	2.8%
Shaffield Building Specialties, Inc.	Non-Minority Female	City of Tallahassee	Landscape	\$44,000	7.7%
Hale Contracting, Inc.	Non-Minority Female	City of Tallahassee	Trucking	\$7,200	1.3%
Total MWBE Dollars					\$148,000
Total MWBE Utilization Percentage					26.1%

Sandco, Inc. exceeded the MWBE Aspirational Targets for Construction Subcontracting; therefore, the Good Faith Effort Form is not required. The MWBE firms listed below are the firms **Sandco, Inc.** intends to utilize on this project.

Total Bid Amount		\$764,347			
Name of MWBE	Race/Gender	Certifying Agency	Goods & Services	MWBE Dollars	MWBE Utilization Percentage
Gaines & Sons Striping, Inc.	African American Male	City of Tallahassee	Striping, MOT, Asphalt Patching	\$80,000	10.5%
Capital City Contracting, LLC	African American Male	Leon County	Concrete	\$54,000	7.1%
Persica Landscaping Co., Inc.	Non-Minority Female	City of Tallahassee	Landscaping, Clearing & Grubbing	\$64,200	8.4%
DeLacy Farm Sod, Inc.	Non-Minority Female	City of Tallahassee	Grassing	\$7,400	1%
Total MWBE Dollars					\$205,600
Total MWBE Utilization Percentage					27%

Allen's Excavation, Inc. met the MWBE Aspirational Targets for Construction Subcontracting; therefore, the Good Faith Effort Form is not required. The MWBE firms listed below are the firms **Allen's Excavation, Inc.** intends to utilize on this project.

Total Bid Amount		\$860,000			
Name of MWBE	Race/Gender	Certifying Agency	Goods & Services	MWBE Dollars	MWBE Utilization Percentage
Bannerman Landscape, LLC	Non-Minority Female	City of Tallahassee	Landscape, Irrigation, Erosion	\$66,400	7.7%
Capital City Contracting, LLC	African American Male	Leon County	Concrete	\$54,000	6.3%
Gaines & Sons Striping, Inc.	African American Male	City of Tallahassee	Striping, Asphalt, Signage	\$92,200	10.7%
Moore Bass Consulting, Inc.	Non-Minority Female	City of Tallahassee	Survey	\$11,000	1.3%
Total MWBE Dollars					\$223,600
Total MWBE Utilization Percentage					26%

Peavy & Son Construction Co., Inc. exceeded the MWBE Aspirational Targets for Construction Subcontracting; therefore, the Good Faith Effort Form is not required. The MWBE firms listed below are the firms **Peavy & Son Construction Co., Inc.** intends to utilize on this project.

Total Bid Amount		\$904,181			
Name of MWBE	Race/Gender	Certifying Agency	Goods & Services	MWBE Dollars	MWBE Utilization Percentage
Capital City Contracting, LLC	African American Male	Leon County	Concrete	\$58,090	6.4%
Bannerman Landscape, LLC	Non-Minority Female	City of Tallahassee	Landscaping	\$84,000	9.3%
Florida Developers, Inc.	African American Male	City of Tallahassee	Underground Utility Install	\$98,000	10.8%
Total MWBE Dollars					\$240,090
Total MWBE Utilization Percentage					26.5%

**Leon County
Board of County Commissioners**

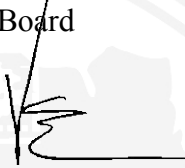
Notes for Agenda Item #12

Leon County Board of County Commissioners

Cover Sheet for Agenda #12

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Consideration of Full Board Appointment to the Tourism Development Council

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/Division Review:	Alan Rosenzweig, Deputy County Administrator
Lead Staff/Project Team:	Mary Smach, Agenda Coordinator

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

- Option 1. The full Board to appoint one member to the Tourist Development Council (TDC) to complete the remainder of the resigning member's term, through October 31, 2016. The three eligible applicants are: Lisa Osteen, Jennifer Carter and Michelle Personette.

Report and Discussion

Background:

This agenda requests a full Board appointment to the Tourist Development Council (TDC).

Analysis:

Tourist Development Council (TDC)

Purpose: The TDC assists in the development of plans for tourist development in Leon County/Tallahassee and makes recommendations for uses of the tourist development tax revenue.

Composition: The TDC is composed of nine members appointed to staggered four-year terms by the Board of County Commissioners. One member of the council shall be the Chairman of the Board or any other member of the Board as designated by the Chairman, and who shall serve as vice chairman of the council. Two members of the council shall be elected municipal officials. Three members of the council shall be owners or operators of motels, hotels, or other tourist accommodations in the county and subject to the tax. Three members of the council shall be persons who are involved in the tourist industry and who have demonstrated an interest in tourist development, but who are not owners or operators of motels, hotels, or other tourist accommodations in the county and subject to the tax.

Vacancy: This vacancy is a result of the resignation of Marion McGee (Attachment #1) whose term is expiring on October 31, 2016. Three applications (Attachments #2, #3 & #4) have been received for this vacancy (Table #1).

Table 1. Tourist Development Council (TDC)

Vacancy	Eligible Applicants	Recommended Action
Person involved in tourist industry, but not a hotelier	<ul style="list-style-type: none">• Lisa Osteen• Jennifer Carter• Michelle Personette	Full Board to make one appointment.

Options:

1. The full Board to appoint one member to the Tourist Development Council (TDC) to complete the remainder of the resigning member's term, through October 31, 2016. The three eligible applicants are: Lisa Osteen, Jennifer Carter and Michelle Personette.
2. Board direction.

Recommendation:

Options #1

Attachments:

1. Resignation – Marion McGee
2. Application – Lisa Osteen
3. Application – Jennifer Carter
4. Application – Michelle Personette

Marion "Missy" McGee
P.O. Box 4314
Tallahassee, FL 32315
Phone: 850-339-2757
Email: msmcgee78@gmail.com

April 22, 2016

Mr. Lee Daniel, Executive Director
Visit Tallahassee | A Division of Leon County
106 East Jefferson Street
Tallahassee, FL 32301

Re: Tourist Development Council Resignation

I am writing to regrettably resign as a member of the Leon County Tourist Development Council (TDC), effective on the above-styled date. As a result of a tremendous new job opportunity, I made the decision to relocate to Washington, DC. I will definitely miss the beloved community and beautiful sunshine of Leon County, especially after having considered Tallahassee home for the past 20 years.

Please know that I am eternally grateful for the time that I've been able to work alongside each member of this fantastic citizen's advisory board. I believe our community's best and most prosperous days are ahead of it, and I look forward to watching and contributing to its success in years to come.


Of course, if I can ever be of assistance to the TDC, please don't hesitate to call on me.

Sincerely,



Marion M. McGee

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT TOURIST DEVELOPMENT COUNCIL

<p>It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>		
Name: Lisa Kirkland OSteen		Date: 3/30/2016 12:18:23PM
Home Phone: (850) 322-3435	Work Phone: (850)410-5288X	Email: losteen@flsports.com
Occupation: DIRECTOR OF MARKETING	Employer: FLORIDA SPORTS FOUNDATION	
Preferred mailing location: Home Address		
Work Address: 101 NORTH MONROE STREET, SUITE 1000		
City/State/Zip: TALLAHASSEE, FL 32301		
Home Address 121 N. MONROE STREET #9009		
City/State/Zip: TALLAHASSEE, FL 32301		
Do you live in Leon County?	Yes	If yes, do you live within the City limits? Yes
Do you own property in Leon County?	No	If yes, is it located within the City limits? No
For how many years have you lived in and/or owned property in Leon County?		34 years
Are you currently serving on a County Advisory Committee?		No
If yes, on what Committee(s) are you a member?		
Have you served on any previous Leon County committees?		No
If yes, on what Committee(s) are you a member?		
Please indicate your area of expertise. If you have experience in more than one field, please check all that apply.		
<input type="checkbox"/> Owner or Operator of hotels, motels, recreational vehicle parks, or other tourist accommodations in the County		
<input checked="" type="checkbox"/> Person involved in the tourist industry and who have demonstrated an interest in tourist development		
<u>If you are appointed to a Committee, you are expected to attend regular meetings.</u>		
How many days permonth would you be willing to commit for Committee work?		4 or more
And for how many months would you be willing to commit that amount of time?		6 or more
What time of day would be best for you to attend Committee meetings?		Day
(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.		
Race: Caucasian	Sex:	Age: 55.00
Disabled? No	District:	
<p>In the space below briefly describe or list the following: any previous experience on other Committees; your educational background; your skills and experience you could contribute to a Committee; any of your professional licenses and/or designations and indicate how long you have held them and whether they are effective in Leon County; any charitable or community activities in which you participate; and reasons for your choice of the Committee indicated on this Application.</p>		

References (you must provide at least one personal reference who is not a family member):

Name: BRYAN DESLOGE Telephone: 8508419285
Address: TALLAHASSEE, FL

Name: SCOTT MADDOX Telephone: 8505284521
Address: TALLAHASSEE, FL

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

AS A MEMBER OF AN ADVISORY COMMITTEE, YOU WILL BE OBLIGATED TO FOLLOW ANY APPLICABLE LAWS REGARDING GOVERNMENT-IN-THE-SUNSHINE, CODE OF ETHICS FOR PUBLIC OFFICERS, AND PUBLIC RECORDS DISCLOSURE. THE CONSEQUENCES OF VIOLATING THESE APPLICABLE LAWS INCLUDE CRIMINAL PENALTIES, CIVIL FINES, AND THE VOIDING OF ANY COMMITTEE ACTION AND OF ANY SUBSEQUENT ACTION BY THE BOARD OF COUNTY COMMISSIONERS. IN ORDER TO BE FAMILIAR WITH THESE LAWS AND TO ASSIST YOU IN ANSWERING THE FOLLOWING QUESTIONS, YOU MUST COMPLETE THE ORIENTATION PUBLICATION www.leoncountyfl.gov/bcc/committees/training.asp BEFORE YOUR APPLICATION IS DEEMED COMPLETE.

Have you completed the Orientation? Yes
Are you willing to complete a financial disclosure form and/or a background check, if applicable? Yes

Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee? No

If yes, from whom?
Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? No

Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? No
If yes, please explain.

Do you or your employer, or your spouse or child or their employers, do business with Leon County? No
If yes, please explain.

Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? No
If yes, please explain.


All statements and information provided in this application are true to the best of my knowledge.

Signature: LISA KIRKLAND OSTEEN

This application was electronically sent: 3/30/2016 12:18:23PM

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

TOURIST DEVELOPMENT COUNCIL

<p>It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>		
Name: Jennifer Carter		Date: 4/20/2016 2:17:55PM
Home Phone: (850) 544-9022	Work Phone: (850)645-9358X	Email: jjtwopercent@gmail.com
Occupation: SENIOR EVENT COORDINATOR	Employer: FLORIDA STATE UNIVERSITY CONFERENCE CENTER	
Preferred mailing location: Home Address		
Work Address: 555 W. PENSACOLA ST		
City/State/Zip: TALLAHASSEE, FL 32306		
Home Address 4470 CAMDEN ROAD		
City/State/Zip: TALLAHASSEE, FL 32303		
Do you live in Leon County? Yes	If yes, do you live within the City limits? No	
Do you own property in Leon County? Yes	If yes, is it located within the City limits? Yes	
For how many years have you lived in and/or owned property in Leon County?		22 years
Are you currently serving on a County Advisory Committee?		No
If yes, on what Committee(s) are you a member?		
Have you served on any previous Leon County committees?		No
If yes, on what Committee(s) are you a member?		
Please indicate your area of expertise. If you have experience in more than one field, please check all that apply.		
<input type="checkbox"/> Owner or Operator of hotels, motels, recreational vehicle parks, or other tourist accommodations in the County		
<input checked="" type="checkbox"/> Person involved in the tourist industry and who have demonstrated an interest in tourist development		
<u>If you are appointed to a Committee, you are expected to attend regular meetings.</u>		
How many days permonth would you be willing to commit for Committee work?		2 to 3
And for how many months would you be willing to commit that amount of time?		3 to 5
What time of day would be best for you to attend Committee meetings?		Day, Night
<p>(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.</p>		
Race: Caucasian	Sex: Female	Age: 34.00
Disabled? No	District:	
<p>In the space below briefly describe or list the following: any previous experience on other Committees; your educational background; your skills and experience you could contribute to a Committee; any of your professional licenses and/or designations and indicate how long you have held them and whether they are effective in Leon County; any charitable or community activities in which you participate; and reasons for your choice of the Committee indicated on this Application.</p>		

I AM EXTREMELY INTERESTED IN JOINING A CITIZENS COMMITTEE. MY AREAS OF EXPERTISE INCLUDE BUT ARE NOT LIMITED TO EVENT PLANNING AND MANAGEMENT, BRAND MARKETING, PUBLIC RELATIONS, MEDIA RELATIONS, COMMUNITY OUTREACH, SOCIAL MEDIA, WEB PAGE MANAGEMENT AND DEVELOPMENT, AND GRANT WRITING. I AM ALSO CERTIFIED IN SPECIAL EVENTS MANAGEMENT AND DESIGN.

I AM CURRENTLY THE SENIOR EVENT COORDINATOR AT FLORIDA STATE UNIVERSITY'S CONFERENCE CENTER. I AM RESPONSIBLE FOR THE PLANNING, MARKETING, DEVELOPMENT AND IMPLEMENTATION OF VARIOUS ACADEMIC CONFERENCES, INSTRUCTIONAL CAMPS, INSTITUTES AND MEETINGS.

I JOINED THE FLORIDA DISABLED OUTDOORS ASSOCIATION MARCH OF 2014 AS THE COMMUNITY OUTREACH AND EVENTS MANAGER. THIS WAS A GRANT-FUNDED, TIME-LIMITED POSITION. IN THIS CAPACITY I WORKED CLOSELY WITH OTHER COMMUNITY AGENCIES, LEADERS, VOLUNTEERS, AND STAFF IN DEVELOPING FITNESS AND WELLNESS PROGRAMS FOR THE ABLED AND DISABLED AS WELL AS PLANNING, COORDINATING VOLUNTEERS, MERCHANDISING AND OVERSEEING ALL ASPECTS OF A WIDE VARIETY OF SPECIAL EVENTS. I PERFORMED COMMUNITY OUTREACH TO CREATE AWARENESS OF FDOA EVENTS AND ITS PROGRAMS. I WORKED DIRECTLY WITH THE FDOA BOARD OF DIRECTORS, COMMUNITY LEADERS AND VOLUNTEERS TO MARKET, PLAN, ORGANIZE, COORDINATE, AND IMPLEMENT VARIOUS PROGRAMS AND EVENTS IN THE COMMUNITY. THIS INCLUDED FUNDRAISING CAMPAIGNS, MARKETING AND PLANNING OF PROGRAMS AND EVENTS, INITIALIZING MEDIA AWARENESS CAMPAIGNS, SOCIAL MEDIA, GRANT WRITING, ETC.

AT TRI-EAGLE SALES, I SERVED AS THE SPECIALTY MARKETING MANAGER AND, MOST RECENTLY, AS THE FIELD SALES MANAGER. I WAS RESPONSIBLE FOR MARKETING, PLANNING, COORDINATING VOLUNTEERS, MERCHANDISING, BUDGETING, AND OVERSEEING ALL ASPECTS OF SPECIAL EVENTS IN LEON COUNTY AND THE SURROUNDING EIGHT COUNTY AREA. THIS INCLUDED SUCH EVENTS AS BREWFEST AND THE JIMMY BUFFETT CONCERT BENEFITTING THE FLORIDA STATE UNIVERSITY.

I WORKED CLOSELY WITH COMMUNITY AGENCIES, LEADERS AND STAFF AS WELL AS VOLUNTEERS IN PLANNING AND IMPLEMENTING SPECIAL EVENTS OF A WIDE AND VARIED NATURE INCLUDING FUNDRAISING, MARKETING OF PROGRAMS AND PRODUCTS, MEDIA AWARENESS CAMPAIGNS, SOCIAL MEDIA, ETC. I WAS ALSO RESPONSIBLE FOR ACCOUNT PLANNING, GOAL SETTING, PERFORMANCE TRACKING, REPORTING, AND FOR PROMOTING AND ENHANCING CUSTOMER RELATIONS WITH KEY ACCOUNTS IN REGARD TO SHELF SPACE MANAGEMENT.

I HAVE A BROAD-BASE OF EXPERIENCE TO OFFER WHICH ALSO INCLUDES HAVING WORKED DIRECTLY FOR AND WITH LOCAL, STATE AND NATIONAL MEDIA.

TALLAHASSEE IS AN AMAZING CITY IN AN AMAZING STATE AND I ENJOY GIVING BACK TO THE COMMUNITY IN WHICH I LIVE. I AM DEDICATED TO MAKING THIS WORLD A BETTER PLACE AND BELIEVE I WOULD BE AN ASSET YOUR TEAM.

THANK YOU FOR ALL CONSIDERATIONS.

References (you must provide at least one personal reference who is not a family member):

Name: ALIA FARAJ JOHNSON Telephone: 850-212-8317
Address: 106 E. COLLEGE AVE

Name: VICTORIA LANGLEY HELLER Telephone: 850-321-6460
Address: 1580 WALDO PALMER LANE

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

AS A MEMBER OF AN ADVISORY COMMITTEE, YOU WILL BE OBLIGATED TO FOLLOW ANY APPLICABLE LAWS REGARDING GOVERNMENT-IN-THE-SUNSHINE, CODE OF ETHICS FOR PUBLIC OFFICERS, AND PUBLIC RECORDS DISCLOSURE. THE CONSEQUENCES OF VIOLATING THESE APPLICABLE LAWS INCLUDE CRIMINAL PENALTIES, CIVIL FINES, AND THE VOIDING OF ANY COMMITTEE ACTION AND OF ANY SUBSEQUENT ACTION BY THE BOARD OF COUNTY COMMISSIONERS. IN ORDER TO BE FAMILIAR WITH THESE LAWS AND TO ASSIST YOU IN ANSWERING THE FOLLOWING QUESTIONS, YOU MUST COMPLETE THE ORIENTATION PUBLICATION www.leoncountyfl.gov/bcc/committees/training.asp BEFORE YOUR APPLICATION IS DEEMED COMPLETE.

Have you completed the Orientation? Yes
Are you willing to complete a financial disclosure form and/or a background check, if applicable? Yes

Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee? No
If yes, from whom?

Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? No

Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? No
If yes, please explain.

Do you or your employer, or your spouse or child or their employers, do business with Leon County? No
If yes, please explain.

Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? No
If yes, please explain.


All statements and information provided in this application are true to the best of my knowledge.

Signature: Jennifer J. Carter

This application was electronically sent: 4/20/2016 2:17:55PM

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

HUMAN SERVICES GRANTS REVIEW COMMITTEE

<p style="text-align: center;">It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov Applications will be discarded if no appointment is made after two years.</p>	
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Name: Michelle Personette	Date: 4/5/2016 3:37:31PM
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Home Phone: (850) 459-8406	Work Phone: (850)645-7770X	Email: mpersonette@challengertlh.com
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Occupation: EXECUTIVE DIRECTOR	Employer: CHALLENGER LEARNING CENTER / FAMU-FSU COLLEGE OF ENGINEERING
--------------------------------	--

Preferred mailing location: Work Address
 Work Address: CHALLENGER LEARNING CENTER
 200 SOUTH DUVAL STREET
 City/State/Zip: TALLAHASSEE, FL 32301

Home Address 3346 MARIANA OAKS DRIVE
 City/State/Zip: TALLAHASSEE, FL 32311

Do you live in Leon County? Yes If yes, do you live within the City limits? No
 Do you own property in Leon County? Yes If yes, is it located within the City limits? No
 For how many years have you lived in and/or owned property in Leon County? 13 years

Are you currently serving on a County Advisory Committee? No
 If yes, on what Committee(s) are you a member?

Have you served on any previous Leon County committees? No
 If yes, on what Committee(s) are you a member?

If you are appointed to a Committee, you are expected to attend regular meetings.
 How many days permonth would you be willing to commit for Committee work? 2 to 3
 And for how many months would you be willing to commit that amount of time? 6 or more
 What time of day would be best for you to attend Committee meetings? Day

(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.
 Race: Caucasian Sex: Female Age: 38.00
 Disabled? No District: District 5

In the space below briefly describe or list the following: any previous experience on other Committees; your educational background; your skills and experience you could contribute to a Committee; any of your professional licenses and/or designations and indicate how long you have held them and whether they are effective in Leon County; any charitable or community activities in which you participate; and reasons for your choice of the Committee indicated on this Application.

EDUCATION: B.A. ENGLISH AND M.A. MASS COMMUNICATIONS

TOURISM EXPERIENCE: IN 1998, I WORKED FOR GERMAIN AREA (ESTERO, FL) DURING ITS INAUGURAL YEAR OF OPERATION, PROMOTING THE PRIMARY TOURISM AND AUDIENCE VEHICLE FOR THE FACILITY, THE FLORIDA EVERBLADES ECHL HOCKEY TEAM. DURING MY TIME THERE, MY EFFORTS FOCUSED ON COMMUNITY INVOLVEMENT TO INCREASE VISITATION, AS WELL AS DEVELOP AND FOSTER SUPPORT FOR THE TEAM'S INAUGURAL YEAR. IN 1999, I MOVED TO ORLANDO AND BEGAN WORKING FOR CURLEY & PYNN PUBLIC RELATIONS MANAGEMENT. THE TOURISM BASED ACCOUNTS THAT I WORKED ON WHILE THERE WERE UNIVERSAL STUDIOS (INCLUDING HALLOWEEN HORROR NIGHTS) AND HOLIDAY INN FAMILY SUITES. IN 2001, I MOVED TO TALLAHASSEE AND BECAME THE MARKETING MANAGER FOR THE CHALLENGER LEARNING CENTER, A NEW ECONOMIC DEVELOPMENT AND TOURIST ATTRACTION FOR DOWNTOWN TALLAHASSEE. IN 2005, I BECAME THE EXECUTIVE DIRECTOR OF THE CHALLENGER LEARNING CENTER. IN 2006, I BEGAN SERVING ON THE TALLAHASSEE AREA CONVENTION & VISITORS BUREAU (TACVB) BOARD OF DIRECTORS. IN 2009, AS THE PRESIDENT OF THE TALLAHASSEE AREA CONVENTION & VISITORS BUREAU, I FORMED AN EXECUTIVE TEAM COMPRISED OF MYSELF, AN ACCOUNTANT AND AN ATTORNEY TO OFFICIALLY DISSOLVE THE ORGANIZATION AND TRANSFER ALL ASSETS TO VISIT TALLAHASSEE. THROUGH THIS PROCESS, WE WERE ABLE TO MAINTAIN THE MARKETING OPERATIONS OF THE ORGANIZATIONS WHILE FINALIZING ALL THE DISSOLUTION PROCEDURES FOR THE ORGANIZATION INCLUDING SEVERANCE PACKAGES, TIME/LEAVE PAYOUT, REQUIRED STATE FINANCIAL AND LEGAL DOCUMENTS.

References (you must provide at least one personal reference who is not a family member):

Name: MARJORIE TURNBULL Telephone: 850-385-4184
Address: 3935 MEANDERING LANE TALLAHASSEE, FL 32308

Name: KIM RIVERS Telephone: 850-508-0261
Address: 3919 W MILLERS BRIDGE ROAD TALLAHASSEE, FL 32312

IMPORTANT LEGAL REQUIREMENTS FOR ADVISORY COMMITTEE MEMBERSHIP

AS A MEMBER OF AN ADVISORY COMMITTEE, YOU WILL BE OBLIGATED TO FOLLOW ANY APPLICABLE LAWS REGARDING GOVERNMENT-IN-THE-SUNSHINE, CODE OF ETHICS FOR PUBLIC OFFICERS, AND PUBLIC RECORDS DISCLOSURE. THE CONSEQUENCES OF VIOLATING THESE APPLICABLE LAWS INCLUDE CRIMINAL PENALTIES, CIVIL FINES, AND THE VOIDING OF ANY COMMITTEE ACTION AND OF ANY SUBSEQUENT ACTION BY THE BOARD OF COUNTY COMMISSIONERS. IN ORDER TO BE FAMILIAR WITH THESE LAWS AND TO ASSIST YOU IN ANSWERING THE FOLLOWING QUESTIONS, YOU MUST COMPLETE THE ORIENTATION PUBLICATION www.leoncountyfl.gov/bcc/committees/training.asp BEFORE YOUR APPLICATION IS DEEMED COMPLETE.

Have you completed the Orientation? Yes

Are you willing to complete a financial disclosure form and/or a background check, if applicable? Yes

Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee? No

If yes, from whom?

Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? No

Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? No

If yes, please explain.

Do you or your employer, or your spouse or child or their employers, do business with Leon County? Yes

If yes, please explain. MY EMPLOYERS ARE FAMU & FSU. MY HUSBAND IS EMPLOYED AT ATKINS ENGINEERING.

Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? No


If yes, please explain.

All statements and information provided in this application are true to the best of my knowledge.

Signature: Michelle Personette

ADVISORY COMMITTEE APPLICATION FOR BOARD APPOINTMENT

TOURIST DEVELOPMENT COUNCIL

<p>It is the applicant's responsibility to keep this information current. To advise the County of any changes please contact Christine Coble by telephone at 606-5300 or by e-mail at CobleC@leoncountyfl.gov</p> <p>Applications will be discarded if no appointment is made after two years.</p>		
Name: Michelle Personette		Date: 4/5/2016 3:37:31PM
Home Phone: (850) 459-8406	Work Phone: (850)645-7770X	Email: mpersonette@challengertlh.com
Occupation: EXECUTIVE DIRECTOR	Employer: CHALLENGER LEARNING CENTER / FAMU-FSU COLLEGE OF ENGINEERING	
Preferred mailing location: Work Address		
Work Address: CHALLENGER LEARNING CENTER 200 SOUTH DUVAL STREET		
City/State/Zip: TALLAHASSEE, FL 32301		
Home Address 3346 MARIANA OAKS DRIVE		
City/State/Zip: TALLAHASSEE, FL 32311		
Do you live in Leon County? Yes If yes, do you live within the City limits? No		
Do you own property in Leon County? Yes If yes, is it located within the City limits? No		
For how many years have you lived in and/or owned property in Leon County? 13 years		
Are you currently serving on a County Advisory Committee? No		
If yes, on what Committee(s) are you a member?		
Have you served on any previous Leon County committees? No		
If yes, on what Committee(s) are you a member?		
Please indicate your area of expertise. If you have experience in more than one field, please check all that apply.		
<input type="checkbox"/> Owner or Operator of hotels, motels, recreational vehicle parks, or other tourist accommodations in the County		
<input checked="" type="checkbox"/> Person involved in the tourist industry and who have demonstrated an interest in tourist development		
<u>If you are appointed to a Committee, you are expected to attend regular meetings.</u>		
How many days permonth would you be willing to commit for Committee work?		2 to 3
And for how many months would you be willing to commit that amount of time?		6 or more
What time of day would be best for you to attend Committee meetings?		Day
<p>(OPTIONAL) Leon County strives to meet its goals, and those contained in various federal and state laws, of maintaining a membership in its Advisory Committees that reflects the diversity of the community. Although strictly optional for Applicant, the following information is needed to meet reporting requirements and attain those goals.</p>		
Race: Caucasian	Sex: Female	Age: 38.00
Disabled? No	District: District 5	
<p>In the space below briefly describe or list the following: any previous experience on other Committees; your educational background; your skills and experience you could contribute to a Committee; any of your professional licenses and/or designations and indicate how long you have held them and whether they are effective in Leon County; any charitable or community activities in which you participate; and reasons for your choice of the Committee indicated on this Application.</p>		

EDUCATION: B.A. ENGLISH AND M.A. MASS COMMUNICATIONS

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References (you must provide at least one personal reference who is not a family member):

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Have you completed the Orientation? Yes
Are you willing to complete a financial disclosure form and/or a background check, if applicable? Yes
Will you be receiving any compensation that is expected to influence your vote, action, or participation on a Committee? No
If yes, from whom?
Do you anticipate that you would be a stakeholder with regard to your participation on a Committee? No
Do you know of any circumstances that would result in you having to abstain from voting on a Committee due to voting conflicts? No
If yes, please explain.
Do you or your employer, or your spouse or child or their employers, do business with Leon County? Yes
If yes, please explain. MY EMPLOYERS ARE FAMU & FSU. MY HUSBAND IS EMPLOYED AT ATKINS ENGINEERING.

Do you have any employment or contractual relationship with Leon County that would create a continuing or frequently recurring conflict with regard to your participation on a Committee? No
If yes, please explain.

All statements and information provided in this application are true to the best of my knowledge.

Signature: Michelle Personette

**Leon County
Board of County Commissioners**


Notes for Agenda Item #13

Leon County Board of County Commissioners

Cover Sheet for Agenda #13

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Herbert W.A. Thiele, County Attorney 

Title: First and Only Public Hearing to Consider a Proposed Ordinance Amending Chapter 9 of the Leon County Code of Laws by Enacting a New Article VI, Entitled "Human Trafficking"

County Administrator Review and Approval:	Herbert W.A. Thiele, County Attorney
Department/ Division Review:	N/A
Lead Staff/ Project Team:	Herbert W.A. Thiele, County Attorney

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Conduct the first and only public hearing and adopt the proposed ordinance amending Chapter 9 of the Leon County Code of Laws by enacting a new article VI, entitled "Human Trafficking" (Attachment #1).

Report and Discussion

Background:

At the April 12, 2016, regularly scheduled meeting of the Board of County Commissioners, the Board approved the scheduling of a first and only public hearing to be held on May 10, 2016, to consider the adoption of a proposed ordinance amending Chapter 9 of the Leon County Code of Laws by enacting a new Article VI, entitled "Human Trafficking".

Analysis:

A new state law signed by the Governor on June 16, 2015, Florida Statute, 787.29, authorizes counties to enforce posting of human trafficking public awareness signs at adult entertainment and massage/bodywork establishments alerting employees and patrons to remedies and protections related to human trafficking.

The proposed Ordinance will require employers of strip clubs or other adult entertainment establishments or a business that offers massage or bodywork that is not owned by a healthcare profession regulated pursuant to Chapter 456, Florida Statutes, to post a public awareness sign. The sign must be at least 8.5 inches by 11 inches in size, printed in 16 point type, and state the following in English, Spanish and Creole: "If you or someone you know is being forced to engage in an activity and cannot leave -- whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity -- call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida Law." (Attachment #2)

Violation of any provision of the Ordinance shall be deemed a noncriminal violation, punishable by a fine only as provided in Section 775.083, Florida Statutes. This item was properly noticed as reflected in Attachment #3.

Options:

1. Conduct first and only public hearing and adopt the proposed ordinance amending Chapter 9, of the Leon County Code of Laws, by enacting a new Article VI, entitled "Human Trafficking" (Attachment #1).
2. Conduct first and only public hearing and do not adopt the attached proposed ordinance.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Draft ordinance amending Chapter 9 by enacting a new Article VI of the Leon County Code of Laws entitled "Human Trafficking"
2. Sample public awareness sign
3. Notice of Public Hearing

ORDINANCE NO. 16-____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 9 ENTITLED "HUMAN RIGHTS" OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, BY ENACTING A NEW ARTICLE VI ENTITLED "HUMAN TRAFFICKING"; PROVIDING FOR THE POSTING OF HUMAN TRAFFICKING PUBLIC AWARENESS SIGNS; PROVIDING FOR DEFINITIONS; PROVIDING FOR GENERAL REQUIREMENTS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, human trafficking is a form of modern-day slavery, which involves the exploitation of persons for commercial sex or forced labor and often subjects victims to force, fraud and coercion; and

WHEREAS, while many victims of human trafficking are forced to work in prostitution or the sexual entertainment industry, trafficking also occurs in forms of labor exploitation, such as domestic servitude and restaurant, janitorial, sweatshop factory and agricultural work; and

WHEREAS, traffickers use various techniques to instill fear in victims to keep them enslaved such as isolation, threats of imprisonment and deportation, confiscation of passports, visas or other identification documents and threats of violence toward victims or their families; and

WHEREAS, Florida law authorizes counties to enforce posting of human trafficking public awareness signs in certain establishments; and,

WHEREAS, the Board of County Commissioners finds that it will serve the public health, safety and welfare of the citizens of Leon County to inform the public as to the existence of human trafficking and the reporting thereof.

1 WHEREAS, the Board of County Commissioners desires to enact an ordinance amending
2 Chapter 9 entitled “Human Rights” of the Code of Laws of Leon County, Florida, by enacting a
3 new Article VI entitled “Human Trafficking”.

4 **BE IT ORDAINED B Y THE B OARD OF COUNTY COMMISSIONERS FOR**
5 **LEON COUNTY, FLORIDA**, that:

6 **Section 1.** The Code of Laws of Leon County, Florida, is hereby amended by adding
7 Chapter 9, Article VI entitled “Human Trafficking” to be numbered 9-70, which section reads as
8 follows:

9 **ARTICLE VI. HUMAN TRAFFICKING**

10 **Sec. 9-70. Authority; Applicability; Purpose and Intent.**

11 (a) This article is adopted pursuant to Article VIII, Section 1(g), Florida
12 Constitution, F.S. ch. 125, as amended, and the Leon County Home Rule
13 Charter.

14 (b) *Applicability.* This article shall apply throughout the county, both within
15 incorporated municipalities and the unincorporated area.

16 **Sec. 9-71. Definitions.**

17 The following words, phrases, or terms when used in this Ordinance unless the
18 content otherwise indicates, have the meanings provided below.

19 A. *Adult Entertainment Establishment* means adult bookstores and theaters, special
20 cabarets and unlicensed massage establishments regulated pursuant to Chapter
21 847, Florida Statutes and defined in Section 847.001, Florida Statutes, as may be
22 amended, and strip clubs.

1 B. *Bodywork Services* means services involving therapeutic touching or
2 manipulation of the body using specialized techniques.

3 C. *Business or establishment* means any place of business or any club, organization,
4 person, firm, corporation or partnership, wherein massage or bodywork services
5 are provided and such establishment is not owned by a health care profession
6 regulated pursuant to Chapter 456, Florida Statutes, and defined in Section
7 456.001, Florida Statutes, as may be amended.

8 D. *Human trafficking* means transporting, soliciting, recruiting, harboring, providing,
9 enticing, maintaining, or obtaining another person for the purpose of exploitation
10 of that person regulated pursuant to Chapter 787, Florida Statutes, and defined in
11 Section 787.06, Florida Statutes, as may be amended.

12 E. *Massage services* means the manipulation of the soft tissues of the human body
13 with the hand, foot, arm, or elbow, whether or not such manipulation is aided by
14 hydrotherapy, including colonic irrigation, or thermal therapy; any electrical or
15 mechanical device; or the application to the human body of a chemical or herbal
16 preparation.

17 **Sec. 9-72. General Requirements.**

18 A. The employer at each of the following establishments shall display public
19 awareness signs in a conspicuous location that is clearly visible to the public and
20 employees of the establishment:

21 (1) A strip club or other adult entertainment establishment.

22 (2) A business or establishment that offers massage or bodywork services for
23 compensation that is not owned by a health care profession regulated pursuant

1 to Chapter 456, Florida Statutes, and defined in Section 456.001, Florida
2 Statutes.

3 B. The required public awareness sign must be at least 8.5 inches by 11 inches in
4 size, must be printed in at least a 16-point type, and must state substantially the
5 following in English, Creole and Spanish:

6 "If you or someone you know is being forced to engage in an activity and
7 cannot leave-whether it is prostitution, housework, farm work, factory work,
8 retail work, restaurant work, or any other activity-call the National Human
9 Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-
10 733 to access help and services. Victims of slavery and human trafficking are
11 protected under United States and Florida law." Posted Pursuant to Section
12 787.29, Florida Statutes and Leon County Code Section (Insert Section#)

13 **Section 2. Enforcement.**

14 It is unlawful to violate any provisions of this Ordinance and any violation hereof shall be
15 deemed a noncriminal violation, punishable by a fine only as provided in Section 775.083,
16 Florida Statutes.

17 **Section 3. Severability.**

18 If any provisions or portion of this Ordinance is declared by any court of competent
19 jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and
20 portions of this Ordinance shall remain in full force and effect.

21 **Section 4. Conflicts.**

22 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are
23 hereby repealed to the extent of such conflict, except to the extent of any conflicts with the

1 Tallahassee-Leon County 2010 Comprehensive Plan as amended, which provisions shall prevail
2 over any parts of this ordinance which are inconsistent, either in whole or in part, with the said
3 Comprehensive Plan.

4 **Section 5. Effective Date.**

5 This ordinance shall have effect upon becoming law.

6 DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon
7 County, Florida this ____ day of _____, 2016.

8
9 LEON

COUNTY, FLORIDA

10
11
12 By: _____
13 Bill Proctor, Chairman
14 Board of County Commissioners
15

16 ATTESTED BY:
17 Bob Inzer
18 Clerk & Comptroller
19 Leon County, Florida
20

21
22 By: _____
23

24
25 APPROVED AS TO FORM:
26 Leon County Attorney's Office
27

28
29 By: _____
30 Herbert W. A. Thiele, Esq.
31 County Attorney

be free



If you or someone you know is being forced to engage in an activity and cannot leave: Whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity— Call the **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** at **1-888-373-7888** or text **INFO** or **HELP** to **233-733** to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law.

ANONYMOUS AND CONFIDENTIAL

sé libre



Si a usted, o alguien que conoce, lo están forzando a hacer algo y no lo dejan ir: Ya sea prostitución, trabajo doméstico, agrícola, de fábrica, en una tienda, restaurante o cualquier otra actividad – Llame al **CENTRO NACIONAL DE RECURSOS CONTRA LA TRATA DE PERSONAS** al **1-888-373-7888** o envíe un **mensaje de texto** al **233-733** con la palabra **INFO** o **HELP** para tener acceso a asistencia y servicios. Las víctimas de esclavitud y tráfico de personas están protegidas por las leyes de los Estados Unidos y Florida.

ANÓNIMO Y CONFIDENCIAL

dwe lib



Si oumenm oswa yon moun ou konnen gen moun kap fòse l pou lfè yon bagay epi li pa kapap sòti ladann bagay sa a: Ke se pwostitisyon, travay nan kay, travay nan jaden, travay nan faktori, travay nan kote kap vann an detay, travay restoran, oswa ankenn lòt bagay – Rele the **SANT RESOUS NASYONAL POU EDE MOUN KE YAP FÒSE FÈ TRAVAY LI PA VLE FÈ** nan **1-888-373-7888** oswa tèks **INFO** oswa **HELP** nan **233-733** pou jwen èd ak lòt bagay ou bezwen. Gen pwoteksyon sou lwa etazini ak nan Florid pou moun ki viktim esklavag ak moun yap fòse fè travay yo pa vle fè.

ANONIM AK KONFIDANSYÈL

1-888-343-7888 text BEFREE (233-7333)



Posted pursuant to Leon County Ordinance ORD16-____ and s. 787.29. F.S.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of County Commissioners of Leon County, Florida (the "County") will conduct a public hearing on Tuesday, May 10, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider adoption of an ordinance entitled to wit:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 9 ENTITLED "HUMAN RIGHTS" OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, BY ENACTING A NEW ARTICLE VI ENTITLED "HUMAN TRAFFICKING"; PROVIDING FOR THE POSTING OF HUMAN TRAFFICKING PUBLIC AWARENESS SIGNS; PROVIDING FOR DEFINITIONS; PROVIDING FOR GENERAL REQUIREMENTS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

All interested parties are invited to present their comments at the public hearing at the time and place set out above.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Copies of the ordinance may be inspected at the following locations during regular business hours:

Leon County Courthouse
301 S. Monroe St., 5th Floor Reception Desk
Tallahassee, FL 32301

and

Leon County Clerk's Office
315 S. Calhoun Street, Room 750
Tallahassee, Florida 32301

Advertise: April 29, 2016

A16-0232

**Leon County
Board of County Commissioners**

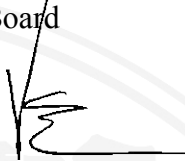
Notes for Agenda Item #14

Leon County Board of County Commissioners

Cover Sheet for Agenda #14

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: First and Only Public Hearing to Adopt an Ordinance Amending the Review Process for Accessory Dwelling Units.

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator David McDevitt, Director, Development Support and Environmental Management
Lead Staff/ Project Team:	Ryan Culpepper, Director, Development Services

Fiscal Impact:

This item will have no fiscal impact to the County.

Staff Recommendation:

Option #1: Conduct the first and only Public Hearing and adopt an Ordinance revising the review process for accessory dwelling units (Attachment #1).

Report and Discussion

Background:

In 2008, the Board adopted amendments to the Leon County Land Development Code (LDC) to further clarify Accessory Dwelling Units (ADU). The amendments to the LDC were based on input from the GEM Permit Process and Improvement Group and the Council of Neighborhood Associations (CONA). These amendments established specific requirements for ADUs for type (detached or attached), size, setbacks, architectural standards, and in some zoning districts, minimum lot size. The ADU is provided as an affordable option in lieu of subdividing a parcel to create additional lots for single-family residential development.

Since the adoption of these amendments, the County has processed a number of ADUs, both detached and attached. However, over the last several years, staff has oftentimes encountered procedural issues resulting in potential duplication of work and increased review fees for the applicant. In addition, the development community has voiced their concerns regarding the review and approval process time for ADUs. As a result, staff met with a building contractor who has completed two ADUs, and solicited recommendations concerning enhancements to the associated review and approval process. As a result, staff has determined that a proposed Ordinance amending the LDC to facilitate improvements to the ADU permit and review process is necessary (Attachment #1).

Analysis:

Prior to the amendments in 2008, ADUs were referred to as “accessory apartments” and the regulations for them had little consideration for compatibility with the surrounding development pattern. In 2008, the economy was in a severe recession and the amendments to the ADU regulations were intended to provide an affordable housing option while ensuring compatibility with adjacent property owners. Generally, the new regulations ensured that the ADU maintained the appropriate setbacks, and utilized consistent architectural features as the principal residential dwelling. ADUs are also allowed in conjunction with retail establishments, offices and industrial structures.

There are specific standards for both attached and detached ADUs. Both types of ADUs are limited to no more than 45% of the gross floor area of a principal residential dwelling not larger than 800 square feet. For those ADUs in conjunction with non-residential structures, the ADU may not exceed one-third the area of the principal structure, or no larger than 2,500 square feet. Pursuant to the LDC, no more than one ADU per lot is allowed.

The current regulations regarding the review and approval process for ADUs, specifically Section 10-7.402 of the LDC, notes that a Permitted Use Verification (PUV) is required as a prerequisite followed by submittal and completion of the Administrative Streamlined Application Process (ASAP) level site plan review. In addition, prior to submittal of an ASAP application, an approved Natural Features Inventory (NFI) is required in order to identify and delineate any onsite environmental constraints. These approvals must be obtained prior to the issuance of a building permit for the ADU. Due to these required prerequisites, the process to obtain final approval for an ADU can exceed 30 staff review days. In addition to the length of time for approval, the fees associated with these reviews can be a disincentive for those interested in an affordable dwelling option.

Currently, an applicant proposing an ADU can be expected to pay the following minimum application review fees which are outlined in the Development Support and Environmental Management (DSEM) Fee Schedule (Attachment #2):

Application	Review Fee
Permitted Use Verification (PUV)	\$242
Natural Features Inventory (NFI) – No Impact	\$180*
Administrative Streamlined Application Process (ASAP)	\$600
Environmental Management Permit (EMP)	\$720

*If environmental constraints are noted on the site, then the NFI will be upgraded to a regular NFI application with a review fee of \$1,128.

At minimum, an applicant can expect to pay \$1,742 for the review of an ADU. Should environmental constraints be located on a site, the NFI will be upgraded to a standard NFI application review, incurring an additional \$948 fee. The review fees noted above do not include the building permit, which is a separate application covering the review of the ADU for compliance with applicable provisions of the Florida Building Code, land use and environmental regulations. The building permit review fee varies depending on the cost of improvements.

Staff has drafted a proposed Ordinance amending the LDC to facilitate a more streamlined approach to the review and approval of ADUs. The proposed Ordinance will eliminate the ASAP review process, as well as the requirement for the NFI and separate EMP. In addition, the PUV requirement will be replaced with the Residential Compliance Certificate (RCC), which will result in additional savings for the applicant. Staff anticipates that these revisions to the process for ADUs will save applicants a minimum of \$1,697 in permitting fees.

The proposed changes would revise the procedural steps by allowing a proposed ADU to be a component of the building permit application submittal and review process. A completed and recorded ADU affidavit ensuring the proposed ADU has met the applicable requirements of the LDC will be required prior to issuance of the building permit. In addition to a reduction in associated application review fees, staff anticipates that this will reduce the process time for approval of an ADU by more than 45%.

Citizen’s User Group Recommendation

As is standard procedure for all proposed LDC changes, prior to requesting Public Hearings, staff presented the draft Ordinance to the DSEM Citizen’s User Group on March 30, 2016 for review and comment. The Citizen’s User Group had no concerns with the proposed revisions and recommended that the Board approve the proposed Ordinance. However, the Citizen’s User Group did note other provisions that needed further clarification or correction, which have already been incorporated into the proposed Ordinance. For example, Section 10-6.803(b)(4)(e) has been revised to include a chart which provides further clarification on the minimum requirements for ADUs within the Lake Protection and Residential Preservation zoning districts.

Tallahassee-Leon County Planning Commission Consistency Determination

Tallahassee-Leon County Planning Department staff conducted a review of the proposed Ordinance and determined that it is consistent with the Tallahassee-Leon County Comprehensive Plan (Attachment #3). The proposed Ordinance is scheduled for consistency review at the May 3, 2016 Public Hearing by the Planning Commission. Due to Board agenda deadlines, the recommendation by the Planning Commission will be provided at the Board's Public Hearing.

Public Notification

The Public Hearing has been publicly noticed consistent with the requirements of Florida Statutes (Attachment #4).

Options:

1. Conduct the first and only Public Hearing and adopt an Ordinance revising the review process for accessory dwelling units (Attachment #1).
2. Conduct the first and only Public Hearing and do not adopt an Ordinance revising the review process for accessory dwelling units.
3. Board direction.

Recommendation:

Option #1.

Attachment:

1. Proposed Ordinance
2. DSEM Fee Schedule
3. Consistency Memorandum
4. Legal Notice

ORDINANCE NO. 16- _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING SECTION 10-6.803(B)(4), RELATING TO STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS; ADDING SECTION 10-6.803(B)(5), RELATING TO REVIEW PROCEDURES AND CONDITIONS FOR ACCESSORY DWELLING UNITS; AMENDING SECTION 10-7.402(7), RELATING TO REVIEW PROCESS FOR EXCEPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board desires to provide accessory dwelling units as an alternative housing option; and

WHEREAS, the Board desires to ensure the expedited review of applications for accessory dwelling units;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, THAT:

SECTION 1. Section 10-6.803(b)(4) of Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, relating to standards for detached accessory dwelling units, is hereby amended to read as follows:

(4) *Standards for detached accessory dwelling units:*

- a. Freestanding or detached accessory dwelling units shall be allowed in conjunction with any principal residential use.
- b. A detached dwelling unit accessory to a single-family residential structure shall not exceed 800 square feet nor five percent of the total lot or parcel area.
- c. A detached dwelling unit accessory to a single-family residential structure shall be located and designed not to interfere with the appearance of the principal structure. This provision shall not be construed so as to limit an attached accessory dwelling unit from having its own entryway, porch, or to limit the quantity or location of window space.
- d. A detached dwelling unit accessory to a single-family residential structure shall be setback a minimum distance equal to the applicable minimum rear and side yard setbacks established by the zoning district in which it is located, except that within the residential preservation zoning district, any detached dwelling unit accessory to a single-family residential structure shall be no less than 105 percent of the applicable minimum side yard setback and 110 percent of the applicable minimum rear yard setback for principal residential structures.
- e. Within the lake protection and the residential preservation zoning districts and overlays, detached accessory dwelling units are subject to under the following conditions:
 - i) as a component of a new site and development plan application, on a parcel of no less than three acres within the lake protection zoning district; a parcel of no less than .3 acres within the residential preservation zoning district inside the urban services area; or a parcel of no less than three acres within the residential preservation overlay, outside of the urban services area; and,
 - ii) in conjunction with a previously developed, existing residential dwelling, on a parcel of no less than three acres within the lake protection zoning district, no less than one acre within the residential preservation zoning district inside the urban services area, and no less than three acres within the residential preservation overlay, outside of the urban services area.

~~f. An approved application demonstrating compliance with these regulations shall be required prior to the issuance of any permits for the establishment of accessory dwelling units. Accessory dwelling units may be reviewed as components of a new site and development plan application. Applications for accessory dwelling units in conjunction with a previously developed, existing residential dwelling shall be provided and reviewed by the Leon County Department of Development Support~~

1 ~~and Environmental Management through the Administrative Streamlined~~
2 ~~Application Process.~~

3
4 **SECTION 2.** Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, is hereby
5 amended by adding a section to be numbered Section 10-6.803(b)(5), relating to review
6 procedures and conditions for accessory dwelling units, which section reads as follows:
7

8 (5) Review procedures and conditions for accessory dwelling units. A proposed
9 accessory dwelling unit shall require submittal of a Residential Compliance Certificate
10 to determine eligibility. A proposed accessory dwelling unit shall be reviewed
11 concurrently with the submittal of a building and environmental management permit. A
12 complete building and environmental management permit shall include documentation
13 demonstrating compliance with the applicable accessory dwelling unit requirements
14 noted in this section. A notarized affidavit identifying the proposed structure as an
15 accessory dwelling unit and outlining any conditions of approval shall be signed by the
16 owner and recorded with the Leon County Clerk of Courts prior to issuance of the
17 building and environmental management permit. Affidavits for detached ADUs shall
18 include, at minimum, a condition that subdivision of the parcel for the benefit of
19 creating a lot exclusively for the ADU shall be subject to the environmental and
20 subdivision regulations of the LDC.

21
22 **SECTION 3.** Section 10-7.402(7) of Article VII of Chapter 10 of the Code of Laws of Leon
23 County, Florida, relating to review process for exceptions, is hereby amended to read as
24 follows:
25

- 26 7. *Review process for exceptions.* The development listed in the table set out as parts (a)
27 and (b) of this subsection shall be excepted from Type A—D site and development
28 plan review, as set forth in subsection 4., above.
- 29 (a) The following chart provides a range of development and changes of use excepted
30 from site and development plan application. The chart specifies appropriate criteria
31 for approval, applicable review process, notice requirements and other applicable
32 substantive or procedural requirements. Omission of a particular requirement from
33 the chart shall not be construed so as to alleviate requirement for compliance.

Proposed Use or Development	Criteria for Approval	PUV or RCC Required	Review Required for Approval	Notice Requirements	Public Meeting Requirements	Application Content Requirements
Single-family (attached or detached) residential dwelling unit, manufactured home, duplex residential units on any vacant existing parcel; any structures accessory to these residential units, including garages, pavilions, kiosks, gazebos, or other similar structures accessory as determined by the county administrator or designee.	Precedent development order, such as, approved plat or site plan, Otherwise as required in the Land Development Code	No, RCC is optional.	PSD	None	No	PSD; scaled sketch plan accessory buildings in this category require affidavit of nonhabitable structure; project-specific environment permits as applicable
Home occupation in an existing residence	Home occupation standards; Life-safety code	No, RCC is optional	None	None	No	RCC (optional); project-specific environment permits as applicable
Agricultural, horticultural, floriculture, and silviculture-related bldgs in a zoning district allowing agricultural as a principal use; structure size ≤5,000 s.f.	As required in the Land Development Code	No	PSD	None	No	Affidavit of nonhabitable structure; project-specific environment permits as applicable
Agricultural, horticultural floriculture and silviculture-related bldgs in a zoning district allowing agricultural as a principal use; structure size ≥5,000 s.f.	As required in the Land Development Code	Yes	ASAP	Ad for PUV	No	Affidavit of nonhabitable structure; project-specific environment permits as applicable
Principal industrial use within a district allowing heavy or light Industrial use as a Principal Use; structure size ≤300 s.f.	As required in the Land Development Code	Yes	PSD	Ad for PUV	No	Sketch plan; project-specific environment permits as applicable
Principal industrial use within a district allowing heavy or light Industrial use as a Principal Use; structure size >300 s.f. and ≤10,000 s.f.	As required in the Land Development Code	Yes	ASAP	Ad for PUV	No	Site plan; project-specific environment permits as applicable
Proposed use or development	Criteria for approval	PUV or RCC required	Review required for approval	Notice requirements	Public meeting requirements	Application content requirements
Change in tenancy without expansion or	N/A	Yes, to verify that	None	Ad for PUV	No	N/A

functional modification		use was originally properly established and allowed in zoning district				
Change of use without expansion or functional modification, to another use allowed within the zoning district, ≤1,000 s.f.	Zoning district; life-safety health codes	Yes	None, unless a special exception or restricted use	Ad for PUV	No	Project-specific environment permits, as applicable
Change of use without expansion or functional modification, to another use allowed within the zoning district, >1,000 s.f.	Zoning district; life-safety health codes	Yes	ASAP, unless a special exception or restricted use	Public notice of approval or denial	No	Project specific environmental permits, as needed.
Additional dwelling unit without subdivision	Approved plat or site plan, otherwise as required in the Land Development Code	No, RCC optional	PSD	None	None	Affidavit; project specific environment permits as applicable
Accessory dwelling unit without subdivision	Approved plat or site plan, otherwise as required in the Land Development Code	PUV <u>RCC</u> required	ASAP <u>PSD</u>	Ad for PUV <u>RCC</u>	Presubmittal (optional)	<u>Site plan for ASAP; Scaled sketch plan; documentation demonstrating compliance with Sec. 10-6.803; Notarized affidavit for accessory dwelling unit shall be recorded prior to issuance of building permit.</u> project specific environment permits as applicable.
Miscellaneous residential accessory structures	Approved plat or site plan, otherwise as required in the Land Development Code	No	PSD	None	None	PSD requires scaled sketch plan; project specific environment permits as applicable.
Other development determined to be below the type A site and development plan review threshold and ≤300 s.f.; and structures accessory to other than single-family,	Approved plat or site plan, and otherwise as required in the Land Development Code	Yes, except for accessory structures	PSD	Ad for PUV	No	Scaled sketch plan; information demonstration compliance with Land Development Code standards; project specific environment permits as

manufactured home, or duplex residential dwellings and ≤300 s.f.						applicable.
Other development determined to be below the Type A site and development plan review threshold and >300 s.f.; and structures >300 s.f. accessory to other than single-family, manufactured home, or duplex residential dwellings	Approved plat or site plan, otherwise as required in the Land Development Code	Yes	ASAP	Ad for PUV	Presubmittal (optional)	Site plan; project specific environmental permits, as applicable.

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(b) Exceptions specified under the definition of subdivision in Section 10-1.101. Any and all landowner(s) of a parcel that is divided or developed pursuant to this exception shall file an affidavit, on a form approved by the county attorney, with the clerk of the court in the public records of the county. The affidavit shall specify that the property has been modified or subdivided, the number of new parcels, if any, created, the exemption type used for this action, the legal description of the original location of the parcel(s), and the metes and bounds descriptions of each new parcel. A judicial exception based on a court order shall be excepted from site and development plan application but may be required to comply with the Land Development Code. Review of development proposed pursuant to such orders shall be through a process determined by the county administrator or designee.

(c) Requirements for administrative streamlined application process (ASAP).

~~(1) *Accessory dwelling unit.* All ASAP applications for accessory dwelling units shall demonstrate compliance with subsection 10-6.803(b). Review and determination of compliance shall be conducted by the county administrator or their designee. Review may include consultation with other county and affiliated agency technical staff. Presubmittal meeting is available at the option of the applicant. Applications shall include a site plan or survey of the subject property along with sufficient information to demonstrate compliance with applicable standards.~~

~~(2) *1:2 subdivision/lot split, inside the urban service area.* All ASAP applications for 1:2 subdivision/lot split shall demonstrate compliance with article IV, environmental management, article VI, zoning, and division 5 of article VII, substantive standards and criteria, subdivision and site and development plan regulations. Review and determination of compliance shall be conducted by the county administrator or their designee. Review may include consultation with other county and affiliated agency technical staff. Applications shall include a site plan or survey of the subject property along with sufficient information to demonstrate compliance with applicable standards. The application should furnish sufficient information to clearly demonstrate legal access, utility service connections, compliance with zoning district standards, and adequate protection of environmental resources.~~

~~(3) *Other administrative streamlined applications process applications.* All other ASAP applications shall demonstrate compliance with article IV, environmental management; article VI, zoning; and division 5 of article VII, substantive standards and criteria, subdivision and site and development plan regulations. Review and determination of compliance shall be conducted by the county administrator or their designee. Review may include consultation with other county and affiliated agency technical staff. Applications shall include a site plan or survey of the subject property along with sufficient information to demonstrate compliance with applicable standards. The application should furnish sufficient information to clearly demonstrate legal access, utility service connections, compliance with zoning district standards, and adequate protection of environmental resources. Applications shall be required to furnish a natural features inventory, as set out in article IV, and provide calculations demonstrating compliance with applicable stormwater management standards; waiver or modification of these requirements may be provided by the county administrator or designee. The application should furnish sufficient information to clearly demonstrate compliance with zoning district standards and any precedent development order.~~

SECTION 4. Conflicts. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, as of the effective date of this Ordinance, except to the extent of any conflicts with the Tallahassee-Leon County Comprehensive Plan, as amended, which provisions shall prevail over any parts of this Ordinance which are inconsistent, either in whole or in part, with the Comprehensive Plan.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. Effective date. This ordinance shall be effective according to law.

1 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County,
2 Florida, this ____ day of _____, 2016.
3

4
5 LEON COUNTY, FLORIDA
6

7
8 BY: _____
9 BILL PROCTOR, CHAIRMAN
10 BOARD OF COUNTY COMMISSIONERS
11

12
13 ATTEST:
14 BOB INZER, CLERK OF THE COURT
15 AND COMPTROLLER
16 LEON COUNTY, FLORIDA
17

18
19 BY: _____
20

21 APPROVED AS TO FORM:
22 LEON COUNTY ATTORNEY'S OFFICE
23

24
25 BY: _____
26 HERBERT W.A. THIELE, ESQ.
27 COUNTY ATTORNEY
28
29

**DEVELOPMENT SUPPORT & ENVIRONMENTAL MANAGEMENT DEPARTMENT
FEE SCHEDULE
REVISED OCTOBER 21, 2015**



**EFFECTIVE DATES:
DEVELOPMENT SERVICES & ENVIRONMENTAL SERVICES - OCTOBER 1, 2008
BUILDING PLANS REVIEW & INSPECTION - 1/23/07**

**DEPARTMENT OF DEVELOPMENT SUPPORT AND ENVIRONMENTAL MANAGEMENT
THE RENAISSANCE CENTER, 2ND FLOOR
435 NORTH MACOMB STREET
TALLAHASSEE, FL 32301
(850) 606-1300**

Fee Category	Fee
Administration	
Copy of Chapter 10, Code of Laws	\$60
Copy of Land Development Regulations Policies and Procedures	\$12
DEVELOPMENT SERVICES FEES	
Zoning	
Letter of Zoning Certification	\$90
Residential Compliance Certificate (RCC)	\$45
Permitted Use Verification (PUV)	\$242
Revision to PUV	\$60
Project Status Determination for Single Family/Manufactured Housing/Other Development Orders	\$120
Board of Adjustment and Appeals Variance Request	\$300
(+ Direct Notice and Legal Advertisement Fee)	\$660
Planned Unit Development (PUD)	Refer to Type D Site Plan for Fees
Major Modification to PUD Concept Plan	\$4,800 (+ direct notice fee of \$2,640)
Minor Modification to PUD Concept Plan	\$1,500
Concurrency Management	
Residential	\$156 first dwelling unit + \$24/additional dwelling unit
Non-residential	\$228 first 1,000 sq. ft. + \$48/additional 1,000 sq. ft.
Extension of Concurrency Certificate (2 Years)	20% of original fee
Revision of Approved Concurrency Certificate	50% of original certificate fee, not to exceed \$600
Other Jurisdiction Concurrency Application Review	\$90
Concurrency Review with Comp. Plan Amendment Proposal	(See concurrency review fees)
Subdivisions, Site and Development Plans	
Sketch Plan (required for pre-application)	Type A, Limited Partition and all others \$600
Subdivision Exemptions	
Boundary Settlement	\$756
Conveyance to Government and Franchise	\$540
Creation of Equal or Larger Parcels	\$756
Corrective Instruments	\$540
Additional Dwelling Unit without Subdivision (per unit)	\$228
Prior Improperly Subdivided Lots (Letter of Exception)	\$228
Unity of Title	\$156
Release of Unity of Title	\$132
Judicial Exception	\$300
Policy 2.1.9 Subdivision	\$900
Limited Partition Subdivision	\$3,828
One into Two Lot Subdivision	\$1,920
Type "A" Site and Development Plan (maximum of \$6,000, + \$950 direct notice fee)	
Non-Residential	\$2,436 + \$0.85/sq. ft. of building + \$950 direct notice fee
Residential	\$4,476 + \$96/dwelling unit + \$950 direct notice fee
Type "B" Site and Development Plan (maximum of \$12,000, + \$1,690 direct notice fee)	
Non-Residential	\$3,828 + \$0.56/building sq. ft. + \$1,690 direct notice fee
Residential	\$6,024 + \$78/dwelling unit + \$1,690 direct notice fee
Type "C" Site and Development Plan (maximum of \$12,000, + \$2,640 direct notice fee)	
Non-Residential	\$3,756 + \$0.55/building sq. ft. + \$2,640 direct notice fee
Residential	\$4,500 + \$48/dwelling unit + \$2,640 direct notice fee
Type "D" Site and Development Plan (maximum of \$6,000 + \$2,640 direct notice fee)	
Residential or Non-residential Final Plan	\$3,000 + \$2/dwelling unit or \$12/acre + \$2,640 direct notice fee
Administrative Staff Approval Process (ASAP)	\$600
Minor Modification to Approved Site and Development Plan	\$756
Major Modification to Approved Site and Development Plan	\$1,500
Substantial Change to Approved Site and Development Plan	See review fees
Request for Deviation from Development Standards	\$600
Request for Parking Standards Committee Review	\$600
Site and Development Plan Approval Extension (3 Year)	\$1,200
Additional (continued DRC meeting)	\$300
Notice of Intent to Appeal DRC Decision	\$90 + \$30 for each additional party

Fee Category	Fee
Plats	
Residential (Public Works)	\$360, + \$6 per dwelling unit
Non-residential Plat (Public Works)	\$360, + \$60 per acre in excess of 1.0 acres
Vacate and Abandonment of Recorded Plats	
Roads, Plats, or Utility/Drainage Easements	\$600
Direct Notice and Legal Advertisement Fee per Request (Public Works)	\$360
Address Assignment and Street Naming	
New Address Assignment	\$156
Address / City of Tallahassee (for utility setup)	\$156
Street Name Change Application	\$240 (+ direct notice fee of \$660)
Street Name Sign Fee (Public Works)	\$284
Land Use and Code Compliance Determinations	
Off-site Sign (Billboard) "Site Plan" Review	\$600
Modification to Approved Off-site Sign	\$480
Temporary Sign Application	\$60
Other Sign Permit Compliance Reviews	\$240
Temporary Use "Site Plan" Review	\$210
Alcoholic Beverage License Review	\$300
Annexation / De-annexation Review	\$600
Compliance Certification Letter	\$90
Developments of Regional Impact (DRI)	
DRI Application for Development Approval (ADA)	\$18,000
DRI Substantial Deviation	\$9,600
DRI Notice of Proposed Change (no substantial deviation)	\$6,000
Development Services Miscellaneous Fees	
Development Agreement	\$10,200
Revision to Approved Development Agreement	\$3,600
Regional Activity Center Designation	\$10,200
Other Jurisdiction Comp Plan Amendment Review (per amendment)	\$120
Notice of Claim of Vested Rights	\$360
Research Fee	\$90/hour
ENVIRONMENTAL SERVICES FEES	
Environmental Management Permit (EMP) Standard Form	
Residential Subdivisions (one dwelling unit per lot)	Base fee of \$2,388 for 1 st 5,000 sq. ft. of impervious area + \$0.13/sq. ft. over 5,000 sq. ft., with a max of \$90,000.
Non-residential and Others	Base fee of \$2,388 for 1 st 5,000 sq. ft. of impervious area + \$0.13/sq. ft. over 5,000 sq. ft., but less than 100,000 sq. ft., + a fee of \$0.24/sq. ft. for 100,000 sq. ft. and above.
EMP Short Form/Residential and Non-residential	
Short Form A	\$372
Short Form B – Low Intensity	Base fee of \$720 for 1 st 5,000 sq. ft. of disturbed area + \$0.02/sq. ft. in excess of 5,000 sq. ft.
Short Form B – High Intensity	Base fee of \$1,344 for 1 st 5,000 sq. ft. of disturbed area + \$0.01/sq. ft. over 5,000 sq. ft.
EMP Environmental Analysis	
Part 1 – Natural Features Inventory (NFI), without Flood Plain	\$1,584 base fee + \$28/acre over 5 acres
Part 1 – NFI with Floodplain	\$2,064 base fee + \$29/acre over 5 acres
NFI for Policy 2.1.9, Limited Partition and Judicial Subdivisions	\$1128
NFI – No Impact	\$180
Part 2 – Environmental Impact Analysis (EIA), without Floodplain	\$1,356 base fee, + \$24/acre over 5 acres
Part 2 – EIA with Floodplain	\$1,890 base fee, + \$30/acre over 5 acres
Part 2 – EIA with Floodplain and Off-site Stormwater Discharge	\$1,890 base fee, + \$36/acre over 5 acres
Amendments/Resubmittals/EMP Extension Requests	
Amendment to Approved EIA or EMP	50% of initial fee up to maximum of \$1,200
Request for Additional Information (RAI)*	
Request for EMP Extension	
Landscaping and Related Permits	
Landscape Permit	Base fee of \$780 for 1 st 5,000 sq. ft of impervious area + \$0.01/sq. ft. over 5,000 sq. ft., but less than 50,000 sq. ft. + a fee of \$0.02/sq. ft. 50,000 sq. ft. and above

Fee Category	Fee
Tree Removal Permit	Base fee \$114 for first 100 trees + \$1.97/tree over 100
Vegetative Management Plan	\$120
EMP Inspections	
Follow-up Inspection (after unsatisfactory follow-up to violation inspection)	\$240
Repeat Final Inspection (after unsatisfactory environmental final inspection)	\$288
EMP Operating Permits	
Operating Permit (fee is not required for individual single family lots)	\$628
Operating Permit Renewal	\$120 if less than 5,000 sq. ft. impervious and no structures or filters; all others \$300
Communication Towers	
Communication Tower Bond	\$1,022
Communication Tower Bond Renewal	\$540
Communication Tower Bond Cancellation	\$360
Environmental Compliance Miscellaneous Fees	
General Utility Permit	\$14,190
Board of County Commissioners' Environmental Management Act Variance Request	\$1,440
Discovery Inspection Fee for No-permit Violations	\$120 - \$1,200
Research Fee	\$90/hour
BUILDING PLANS REVIEW & INSPECTION FEES	
Building Permits – New Construction and Additions	
City of Tallahassee Fire Plan Review Fee	\$0.02 per sq. ft. under roof
Industrial Permits	\$0.34 per sq. ft. under roof
Commercial Permits	\$0.51 per sq. ft. under roof
Residential Permits	\$0.48/sq. ft. under roof including porches, garages, carports and detached accessory structures
Plans Review Fees, Commercial (based on construction costs)	
\$50,000 - \$100,000	\$74.41
\$100,000.01 - \$500,000	\$104.43
\$500,000.01 - \$1 million	\$139.68
\$1,000,000.01 - \$2 million	\$211.47
\$2,000,000.01 - \$3 million	\$281.97
\$3,000,000.01 - \$5 million	\$348.54
Over \$5 million	\$706.22
Remodeling & Repair Work (based on cost of the building construction)	
\$1.00 - \$2,000	\$91.38
\$1,000.01 - \$15,000	\$212.78
\$15,000.01 - \$50,000	\$386.40 + \$15.60/thousand over \$15,000.01
\$50,000.01 - \$100,000	\$998.63 + \$14.10/thousand over \$50,000.01
\$100,000.01 - \$500,000	\$1644.80 + \$7.77/thousand over \$100,000.01
\$500,000.01 - \$1 million	\$5,305.15 + \$3.97/thousand over \$500,000.01
Electrical Permit Fees	
Electrical Permit Fee	\$62.66
Open Electrical Work	
For the wiring of ea. fixture, drop or receptacle device, or to ea. wall or pendant switch not attached to the fixture including fixtures, drops or receptacle devices and switches when installed at the same time as the wiring for branch circuits	\$0.90
Electric Signs	
For each electrically illuminated sign requiring less than 1,650 watts	\$32.40
For each electrically illuminated sign requiring more than 1,650 watts, but less than 3,350 watts	\$41.77
Fans	
For each ceiling fan, bath exhaust fan, kitchen range hood, or exhaust fan permanently attached to the branch circuit wiring	\$3.42
Light Fixtures	
For each lighting fixture, including drop lights, recessed lights, wall or flush receptacles or other receptive devices not having soldered joints	\$1.20
Motor Generators	
For each electrical motor of ¾ hp or less operating at 600 volts or less	\$6.03
For each electrical motor of over ¾ hp and not over 5 hp operating at 600 volts or less	\$13.07

Fee Category	Fee
Electrical Services	
Temporary Electric Service	\$32.64
Permanent Electric Service of 200 amps or less	\$15.66
Permanent electric service or panel of over 200 amps, but not over 400 amps	\$36.55
Permanent electric service or panel of over 400 amps, but not over 600 amps	\$48.30
Permanent electric service or panel of 600 amps, but not over 800 amps	\$62.66
For a permanent electric service or panel of over 800 amps, add for each 100 amps or fraction thereof over 800 amps	\$6.03
Gas Permit Fees	
Gas Permit Fee	\$73.10
Inspection of gas piping at one location (including both rough and final piping inspection)	\$73.10 for 1-4 outlets, inclusive; \$15.53 for each additional outlet
Inspection of conversion burners, floor furnaces, incinerators, boilers or control heating or air conditioning units	\$73.10 for one unit; \$15.53 for each additional unit
Inspection of vented wall furnaces and water heaters	\$34.70 for one unit; \$15.53 for each additional unit
Mechanical Permit Fees	
New construction with complete HVAC equipment and duct work	\$159.26 for each system
Existing buildings where additional mechanical work is done, or HVAC equipment change-outs are made	\$79.63
Plumbing Permit Fees	
Plumbing Permit Fee	\$91.38
For each plumbing fixture, floor drain or trap (including water and drainage piping)	\$8.51
Each House Sewer	\$8.51
Each Water Heater and/or Vent	\$8.51
Water Treatment Equipment	\$8.51
Repair or Alteration of Drainage or Vent Piping	\$8.51
Vacuum Breakers and Backflow Preventers (1-5)	\$8.51
Manufactured Home Fees	
Manufactured Home Permit (inclusive)	\$385.09
Swimming Pools	
In-Ground Pools	\$382.48
Above-Ground Pools	\$78.32
Solar Installations	
Solar Photovoltaic Systems	\$169.70
Solar Water Heating Systems	\$182.76
Miscellaneous Fees	
Abandoned Property Registration	\$150
Automated Permits	\$112.26
Building Re-Inspection Fee	\$65.27
Demolition Fees	\$197.12 for any building or structure
Driveway Connection Fee (Single Family Residence and Mobile Home)	\$82.24
Moving any Building or Structure	\$436.00
State Notice of Commencement	\$5.00
State Surcharge Fee	3% of permit fee total, but not less than \$4
Temporary Facilities	\$74.41 for tents or temporary facilities for revivals, carnivals, etc., for periods not to exceed 30 days

* RAI – If a 3rd RAI is needed to address the same issue.



MEMORANDUM

TO: Ryan Culpepper, Development Services Director, Leon County Department of Development Support & Environmental Management

FROM: Jiwan Haley, Senior Planner, Tallahassee-Leon County Planning Department

DATE: April 19, 2016

SUBJECT: Consistency Review for Proposed Ordinance Amending Article VI and Article VII of Chapter 10 of the Leon County Land Development Code to Amend the Review Process for Accessory Dwelling Units

Summary of Proposed Ordinance

The Leon County Board of County Commissioners desires to provide accessory dwelling units as an alternative housing option and ensure the expedited review of applications. The proposed ordinance to the Leon County Land Development Code amends Chapter 10, Section 10-6.803(B), relating to accessory dwelling units. The ordinance also adds section 10-6.803(B)(5), relating to review procedures and conditions for accessory dwelling units. Section 10-7.402(7), relating to the review process for exceptions is also amended with the proposed ordinance. Specifically, the changes are as follows:

- Code of Laws of Leon County, Article VI, Chapter 10, Section 10-6.803(b)(2)(d) is amended to require that all dwelling units accessory to a single-family residential unit shall meet the applicable zoning district setbacks, rather than only the front yard setbacks.
- Code of Laws of Leon County, Article VI, Chapter 10, Section 10-6.803(b)(3)(c) is amended to require that accessory dwelling units be constructed utilizing similar architectural standards as utilized for the design and construction of the principal structure. This provision is not to be construed so as to limit an attached accessory dwelling unit from having its own entryway, porch, or to limit the quantity or location of window space.
- Code of Laws of Leon County, Article VI, Chapter 10, Section 10-6.803(b)(4)(e) is amended to require that within the Lake Protection and the residential preservation zoning districts and overlays, detached accessory dwelling units are subject to the following:

i) as a component of a new site and development plan:

<u>Lake Protection</u>	<u>3.0 acres minimum</u>
<u>Residential Preservation</u>	
<ul style="list-style-type: none"> • <u>Inside USA</u> • <u>Outside USA</u> 	<u>0.3 acres minimum</u> <u>3.0 acres minimum</u>

ii) in conjunction with a previously developed, existing residential dwelling:

<u>Lake Protection</u>	<u>3.0 acres minimum</u>
<u>Residential Preservation</u>	
<ul style="list-style-type: none"> • <u>Inside USA</u> • <u>Outside USA</u> 	<u>1.0 acres minimum</u> <u>3.0 acres minimum</u>

- Code of Laws of Leon County, Article VI, Chapter 10, Section 10-6.803(b)(4)(f) relating to accessory dwelling units being reviewed as components of new site and development plan application, is deleted.
- Code of Laws of Leon County, Article VI, Chapter 10, Section 10-6.803(b)(5) is added relating to review procedures and conditions for accessory dwelling units. The new section reads as follows:
 - *Review procedures and conditions for accessory dwelling units.* A proposed accessory dwelling unit shall require submittal of a Residential Compliance Certificate to determine eligibility. A proposed accessory dwelling unit shall be reviewed concurrently with the submittal of a building and environmental management permit. A complete building and environmental management permit shall include documentation demonstrating compliance with the applicable accessory dwelling unit requirements noted in this section. A notarized affidavit identifying the proposed structure as an accessory dwelling unit and outlining any conditions of approval shall be signed by the owner and recorded with the Leon County Clerk of Courts prior to issuance of the building and environmental management permit. Affidavits for detached ADUs shall include, at minimum, a condition that subdivision of the parcel for the benefit of creating a lot exclusively for the ADU shall be subject to the environmental and subdivision regulations of the LDC.

- Code of Laws of Leon County, Article VII, Chapter 10, Section 10-7.402(7)(a) is amended by revising the chart in this section, which specifies appropriate criteria for approval, applicable review process, notice requirements and other applicable substantive or procedural requirements. The chart for accessory dwelling unit development without subdivision is amended as follows:

Proposed Use or Development	Criteria for Approval	PUV or RCC Required	Review Required for Approval	Notice Requirements	Public Meeting Requirements	Application Content Requirements
Accessory dwelling unit without subdivision	Approved plat or site plan, otherwise as required in the Land Development Code	PUV RCC required	ASAPP PSD	Ad for PUV RCC	Pre-submittal (optional)	Site plan for ASAP; Scaled sketch plan; documentation demonstrating compliance with Sec. 10-6.803; Notarized affidavit for accessory dwelling unit shall be recorded prior to issuance of building permit. Project specific environment permits as applicable.

- Code of Laws of Leon County, Article VII, Chapter 10, Section 10-7.402(7)(c)(1) relating to all ASAP applications for accessory dwelling units demonstrating compliance with subsection 10-6.803(b), is deleted.

Consistency Determination

In 2008, the Leon County Board of County Commissioners adopted amendments to the Leon County Land Development Code (LDC) to further clarify Accessory Dwelling Units (ADU). Since the adoption of these amendments, the County has processed a number of accessory dwelling units, both detached and attached. However, over the last several years, staff has oftentimes encountered procedural issues resulting in potential duplication of work and increased review fees for the applicant. In addition, the development community has voiced their concerns regarding the review and approval process time for ADUs. Staff concluded the proposed Ordinance amending the LDC to facilitate improvements to the ADU permit and review process is necessary to resolve these issues.

Planning Department staff has reviewed the proposed changes in relation to the Comprehensive Plan goals, objectives, and policies and finds the proposed ordinance consistent with the Plan. While the Comprehensive Plan does not extend to this level of detail on accessory uses, the proposed ordinance supports and furthers the goals, objectives and policies of the Land Use

Element. Objective 1.4 of the Land Use Element requires Leon County to “Maintain a set of specific and detailed Land Development Regulations, which implement and are consistent with the goals, objectives and policies of the Tallahassee-Leon County Comprehensive Plan.”

The ordinance is also consistent with Policy 1.4.10: [L] of the *Tallahassee-Leon County Comprehensive Plan* which states the following:

“The land development regulations shall provide for zoning districts which shall indicate which land uses are allowed, prohibited, or conditional-with-specified constraints consistent with the criteria set forth in the narrative intent of the future land use categories, the land use development matrix which is intended to be a pictorial representation of existing policies in the Comprehensive Plan, and the Goals, Objectives, and Policies of the Comprehensive Plan.”

The proposed ordinance provides clarity to the review and permitting processes, provides accessory dwelling units as an alternative housing option, and establishes an expedited review of applications for accessory dwelling units in Leon County zoning districts.

The ordinance is also consistent with Goal 1[JH] and Policy 1.2.1[JH] of the Joint Housing Element of the Tallahassee-Leon County Comprehensive Plan. According to Goal 1, local government is required “To the greatest extent possible, coordinate and leverage available resources to maximize the production and preservation of affordable housing and the quality of life for the residents of Tallahassee-Leon County.” Policy 1.2.1 [JH] states the following:

“The Tallahassee-Leon County Planning Department shall ensure that there is sufficient lands designated on the adopted Future Land use Map for residential uses within the Urban Service Area to accommodate the housing needs for existing and future residents, including very low, low, and moderate income households through the year 2030.”

While the purpose of the proposed ordinance is to provide a more efficient review and permitting process, it may lead to an increase in housing that is more affordable by increasing the amount of density permitted on properties throughout Leon County.

According to Sect.10-2.323(5) of the Leon County Land Development Code, the Planning Commission is responsible for the “Review of proposed development codes and regulations and amendments and make recommendations to the governing bodies as to the consistency of the proposals with the adopted Comprehensive Plan.”

If you have any questions about the review, please contact Planning Department staff at 891-6400.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of County Commissioners of Leon County, Florida (the "County") will conduct a public hearing on Tuesday, May 10, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider adoption of an ordinance entitled to wit:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING SECTION 10-6.803(B)(4), RELATING TO STANDARDS FOR DETACHED ACCESSORY DWELLING UNITS; ADDING SECTION 10-6.803(B)(5), RELATING TO REVIEW PROCEDURES AND CONDITIONS FOR ACCESSORY DWELLING UNITS; AMENDING SECTION 10-7.402(7), RELATING TO REVIEW PROCESS FOR EXCEPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

All interested parties are invited to present their comments at the public hearing at the time and place set out above.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Copies of the ordinance may be inspected at the following locations during regular business hours:

Leon County Courthouse
301 S. Monroe St., 5th Floor Reception Desk
Tallahassee, FL 32301

and

Leon County Clerk's Office
315 S. Calhoun Street, Room 750
Tallahassee, Florida 32301

Advertise: April 29, 2016

F00-00016

**Leon County
Board of County Commissioners**

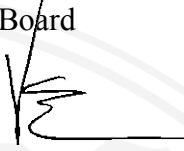
Notes for Agenda Item #15

Leon County Board of County Commissioners

Cover Sheet for Agenda #15

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Second and Final Public Hearing to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator David McDevitt, Director, Development Support and Environmental Management
Lead Staff/ Project Team:	Ryan Culpepper, Director, Development Services

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

Option #1: Conduct the second and final Public Hearing and adopt the proposed revisions to the Leon County Land Development Code to provide private and charter school siting standards (Attachment #1).

Report and Discussion

Background:

Traditional land use planning principles and implementing zoning code provisions for schools are generally based on the premise of siting neighborhood public elementary schools that are within walking and biking distance of the student population to be served, while larger secondary schools that typically draw from a larger geographical area are sited based on bus trip times. The way elementary and secondary schools serve the community has, however, evolved over the years. Currently, elementary schools enroll approximately 500 to 800 students and draw from a much larger geographical area. Furthermore, the County has seen the introduction of public magnet schools, charter schools and private schools, which draw from a countywide student base.

In addition to the changes in school districts, the nature of private schools has also changed. In prior years, private schools were rare and generally resembled public school campuses, or were housed in larger religious facilities. Local examples of this are; North Florida Christian School, Maclay School, and Trinity Catholic School. Additionally, funding options, such as the MacKay Scholarship and other programs, have made private schools economically feasible for more families.

Charter schools, which are a relatively new type of public school, have become more popular in recent years. These schools are privately run, but are financed with public money; therefore, their operating plan is approved by the local school board. Countywide, there have been seven charter schools approved since 2003. The population of these schools ranged from 68 to 540 students during the 2012-2013 school year. As a result, these schools are significant public facilities and the proper siting of these schools is a community concern. With the direction from the Board, staff has drafted an Ordinance to address a number of potential siting issues (Attachment #1).

The public school siting policies and processes are laid out in the Public Schools Facilities Element of the Comprehensive Plan (Attachment #2). These policies are implemented by an inter-local agreement between Leon County, the City of Tallahassee, and Leon County Schools (Attachment #3). This agreement provides a databased and collaborative process that includes public participation and ensuring adequate population growth to determine the most appropriate location for public schools. Additionally, school siting is based on attendance zones and ensuring adequate student enrollment to support the new or expanded facilities.

Charter schools, however, derive their enrollment from a countywide base and are not limited to attendance zones. Furthermore, neither the Public Schools Facilities Element nor the inter-local agreement specifically reference charter schools. Therefore, without the inter-local agreement process as a guide, charter and private schools could be sited in any zoning district where elementary and/or secondary schools are identified as permitted uses, provided they meet the applicable development standards noted in the Leon County Land Development Code (LDC). This has the potential to create problems since the zoning districts do not address a number of the issues related to the development of large-scale schools that serve a countywide population.

Analysis:

Over the last three years, the County has approved two charter schools: the Governor's Charter Academy (formerly Renaissance Charter School), approved in 2012, and the Tallahassee School of Math and Science (formerly S.T.A.R.S. Middle School), approved in 2015. Both schools chose to rezone their properties to Planned Unit Development (PUD) to specifically allow development of the respective sites for elementary and middle schools. The Governor's Charter Academy (GCA) site includes a high school as an allowed use within their PUD. The GCA site was previously zoned Residential Preservation (RP), which does allow elementary and secondary schools (middle and high school) as a special exception. However, RP does not provide specific development standards for this type of use, nor are there specific provisions to address buffering, noise, lighting, and traffic circulation. The rezoning of the GCA site to PUD implemented specific provisions addressing these issues.

The Tallahassee School of Math and Science (TSMS) is also within a PUD district. The site was originally zoned M-1 (Light Industrial), which did not allow any type of school. The TSMS PUD district allows elementary and middle schools, and implements specific provisions addressing issues of buffering, noise, lighting, and traffic circulation.

Although the PUD rezoning is an option to allow charter schools or private schools on a particular site, there are a number of existing zoning districts that allow schools as a principal use, special exception use, or as a conditional use. A chart identifying the zoning districts and the allowable type of school in each district is provided as Attachment #4. As noted in the zoning chart, elementary, middle, and high schools (or a combination thereof), may be allowed in a number of the zoning districts. The majority of the districts allowing schools are primarily residential zoning districts, with a select few being office or office/residential districts.

As the popularity of private schools and charter schools continues to grow, it is anticipated the County will experience compatibility issues unless additional standards are developed to ensure compatibility with adjacent properties and to ensure the mitigation of certain adverse off-site impacts. In 2013, S.T.A.R.S. Middle School proposed a school on the corner of Altoona Drive (local roadway) and Thomasville Road (arterial roadway). Even though the site had significant challenges related to access and neighborhood compatibility, the Leon County School Board attorney indicated that the inter-local agreement, which contained compatibility and access standards for new public schools, did not apply to charter or private schools. Ultimately, the applicant withdrew their application due to widespread neighborhood concern.

The City of Tallahassee encountered issues during review of the Heart to Heart Academy and the ACTS Academy due to the lack of school siting standards for private and/or charter schools. As a result, the City amended their LDC to provide location and development standards in lieu of an inter-local agreement that includes private and charter schools. The City adopted their Ordinance on August 26, 2015.

County staff has encountered a rise in interest in the development of private and charter schools over the last four years. Since 2011, staff has received five Permitted Use Verifications (PUV) indicating a desire to establish private/charter K-8 or K-12 schools in Leon County. With a lack of specific locational and development guidelines for private and charter schools, these schools could be located in any of the previously noted zoning districts allowing elementary and/or secondary schools. In addition, under current development standards, larger scale schools could obtain access to local streets that typically provide access to residential neighborhoods, and may not be subject to certain development standards generally associated with school sites and implemented by an inter-local agreement.

Issues evaluated in the proposed Ordinance:

1. Residential Impacts. Although schools are typically located near residential centers, establishing a new private or charter school, especially a larger scale school, with access to local streets could have adverse impacts to established neighborhoods and local roadways since these schools typically serve a much larger geographical area.
2. Buffers. Without any specific requirement for buffers, a school could have adverse impacts to surrounding residential property owners due to noise, lights, and other outdoor activities.
3. Infrastructure. Schools typically need urban infrastructure to support the development. Areas outside the USA are typically lacking the appropriate type of infrastructure. Certain guidelines would need to be established to ensure adequate infrastructure to support the development of a school.
4. Existing schools. There are a number of existing schools (public, private and charter) in the County. Some may be located in existing neighborhood districts, in particular, Residential Preservation zoning districts. Specific standards for these existing schools may need to be established in order to ensure the protection of these established neighborhoods, while still allowing flexibility for school expansion and addressing nonconformity issues.
5. Commercial/office districts. As identified in Attachment #4, some office districts and one commercial district allow either elementary or secondary schools. These districts may be appropriate locations for schools, as it would provide an opportunity to re-use existing buildings that have been abandoned or underutilized. Office/Residential districts are generally located adjacent to residential neighborhoods and would provide an opportunity to interconnect neighborhoods with schools.

The proposed Ordinance would address these issues and provide more certainty in the location and development standards for a school. In addition, the Ordinance would address other issues, such as but not limited to, the non-conforming status of Chiles High School, as well as provide clarification on the types (elementary, middle or high) of allowed schools in a number of zoning districts.

DSEM Citizen's User Group Comments and Recommendations

Staff provided the proposed Ordinance to the DSEM Citizen's User Group for review and recommendations at their February 16, 2016 meeting. After discussion, the User Group voted to recommend approval of the proposed Ordinance.

Comprehensive Plan Consistency Determination

The Planning Department has reviewed the proposed Ordinance and has provided a memorandum finding that the proposed Ordinance is consistent with the Comprehensive Plan (Attachment #5). The proposed Ordinance was then reviewed by the Planning Commission at a Public Hearing on March 1, 2016. Although one commissioner expressed concern about whether the definition for “public school” was broad enough, the Planning Commission voted unanimously that the Board adopt the proposed Ordinance. After further review of State Statutes (F.S. 1003.01), staff has determined that the definition provided in the proposed Ordinance is sufficient.

Public Notification

The Public Hearing has been publicly noticed consistent with the requirements of Florida Statutes (Attachment #6).

Options:

1. Conduct the second and final Public Hearing and adopt the proposed revisions to the Leon County Land Development Code to provide private and charter school siting standards (Attachment #1).
2. Conduct the second and final Public Hearing and do not adopt the proposed revisions to the Leon County Land Development Code to provide private and charter school siting standards.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Proposed Ordinance
2. Public Schools Facilities Element of the Comprehensive Plan
3. 2006 Tallahassee-Leon County and Leon County Schools Inter-local Agreement
4. Zoning District Chart
5. Consistency Review Memorandum
6. Legal Advertisement

ORDINANCE NO. 16- _____

1
2
3 AN ORDINANCE OF THE BOARD OF COUNTY
4 COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING
5 CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE
6 CODE OF LAWS OF LEON COUNTY, FLORIDA;
7 AMENDING SECTION 10-1.101, DEFINITIONS; AMENDING
8 SECTION 10-6.613, URBAN FRINGE ZONING DISTRICT;
9 AMENDING SECTION 10-6.615, RURAL COMMUNITY ZONING
10 DISTRICT; AMENDING SECTION 10-6.617, RESIDENTIAL
11 PRESERVATION; AMENDING SECTION 10-6.618, LAKE
12 TALQUIN RECREATIONAL/URBAN FRINGE; AMENDING
13 SECTION 10-6.634; RESIDENTIAL ACRE; AMENDING
14 SECTION 10-6.642, OFFICE RESIDENTIAL DISTRICT;
15 AMENDING SECTION 10-6.643, OFFICE RESIDENTIAL
16 DISTRICT; AMENDING SECTION 10-6.644, OFFICE
17 RESIDENTIAL DISTRICT; AMENDING SECTION 10-6.647,
18 NEIGHBORHOOD COMMERCIAL DISTRICT; AMENDING
19 SECTION 10-6.650, URBAN PEDESTRIAN DISTRICT;
20 AMENDING SECTION 10-6.651, URBAN PEDESTRIAN
21 DISTRICT; AMENDING SECTION 10-6.654.1, MAHAN
22 CORRIDOR NODE DISTRICT; AMENDING SECTION 10-6.655,
23 NEIGHBORHOOD BOUNDARY OFFICE; AMENDING SECTION
24 10-6.674, BRADFORDVILLE COMMERCIAL PEDESTRIAN-
25 ORIENTED DISTRICT; AMENDING SECTION 10-6.676,
26 BRADFORDVILLE OFFICE RESIDENTIAL DISTRICT;
27 AMENDING SECTION 10-6.806, COMMUNITY SERVICES AND
28 FACILITIES/INSTITUTIONAL USES; AMENDING SECTION 10-
29 7.522, BUFFER ZONE STANDARDS; PROVIDING FOR
30 CONFLICTS; PROVIDING FOR SEVERABILITY; AND
31 PROVIDING AN EFFECTIVE DATE.
32

33 WHEREAS, all public, private and charter elementary and secondary schools in the
34 unincorporated portion of Leon County are subject to the requirements of the Leon County Land
35 Development Code; and,
36

37 WHEREAS, the inter-local agreement between Leon County, the City of Tallahassee and the
38 Leon County School Board defines the procedures and standards for siting of public schools
39 and there are no procedures or standards for the siting of private and charter schools; and,
40

41 WHEREAS, the Board has determined that a need for siting procedures and standards
42 for private and charter schools as well as public schools in unincorporated Leon County has
43 been identified; and,
44

45 WHEREAS, amendments to the applicable provisions of Chapter 10 will be required to maintain
46 consistency with the Comprehensive Plan; and,
47

48 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY,
49 FLORIDA:
50

51 **SECTION 1.** Section 10-1.101 of Article I of Chapter 10 of the Code of Laws of Leon County,
52 Florida, entitled "Definitions" is hereby amended to read as follows:
53

54 **Sec. 10-1.101. Definitions.**

55 * * *

56 School, charter shall mean a publicly financed independent elementary, middle, secondary
57 or other school established by teachers, parents, or community groups under the terms of a
58 charter with the Leon County School Board, pursuant to Chapter 1002 of the Florida
59 Statutes.

60 School, private shall mean an elementary or secondary school (middle or high) that is
61 financially supported by a private individual or private organization rather than
62 governmental entities. A private school is not a charter school.

63 School, public shall mean an elementary or secondary school (middle or high) that is
64 financed by governmental entities.

1 School, vocational. See "Vocational and adult education center".

2 School Interlocal Agreement shall mean the Interlocal Agreement for Tallahassee-Leon
 3 County Schools Public School Concurrency and Facility Planning between the City of
 4 Tallahassee, Leon County and the School Board of Leon County, approved September 1,
 5 2006, as amended.

6
 7 **SECTION 2.** Section 10-6.613 of Article VI of Chapter 10 of the Code of Laws of Leon County,
 8 Florida, entitled "Urban Fringe" is hereby amended to read as follows:
 9

10 **Sec. 10-6.613. Urban Fringe district.**

11 (a) Purpose and intent. The urban fringe district is intended to provide the opportunity for very
 12 low-density residential areas mixed with open space and agricultural activity on the
 13 periphery of the urban service area. The district allows for very low-density residential
 14 development of no greater than one unit on three acres of land, agricultural, and silvicultural
 15 activities. Residential development will also be allowed a gross density of one unit per three
 16 acres if developed as a conservation subdivision as described in section 10-7.204.

17 For sites developed under the previously available "25-75" clustering option, the remaining
 18 undeveloped portion (75 percent) may continue to be preserved as undisturbed open
 19 (green) space until such time as these sites are included in the urban service area and
 20 become eligible for development at urban densities. As an alternative, sites developed
 21 under the previously available "25-75" clustering option may seek to develop the
 22 undeveloped portion (75 percent) at the urban fringe densities described above prior to the
 23 sites inclusion in the urban service area. For either development option, review by the
 24 Board of County Commissioners shall be requested to authorize development of these
 25 undisturbed open (green) spaces.

26 To conveniently serve area residents, smaller scale, low-intensity commercial development
 27 is permitted in this district. To maximize efficiency in the development of agricultural and
 28 silvicultural resources located within this zoning district and surrounding areas, agriculturally
 29 and silviculturally related industrial activities, such as milling, are permitted. Community
 30 facilities are also permitted in this district.
 31

32 (b) Allowable uses. For the purpose of this article, the following land use types are allowable in
 33 this zoning district and are controlled by the land use development standards of this article,
 34 the Comprehensive Plan and schedules of permitted uses.

- 35 (1) Low-density residential.
- 36 (2) Agricultural.
- 37 (3) Silvicultural.
- 38 (4) Light industry—Agriculturally and silviculturally related only.
- 39 (5) Passive recreation.
- 40 (6) Active recreation.
- 41 (7) Minor commercial.
- 42 (8) Neighborhood commercial.
- 43 (9) Community services.
- 44 (10) Light infrastructure.
- 45 (11) Heavy infrastructure.

46 (c) List of permitted uses. Some of the uses on these schedules are itemized according to
 47 the Standard Industrial Code (SIC). Allowable uses, appropriate permit level and applicable
 48 development and locational standards in the urban fringe district are as follows:
 49

50 P = Permitted use R = Restricted use S = Special exception

Legend					
Ag	=	Agricultural	PR	=	Passive recreation
MC	=	Minor commercial	AR	=	Active recreation

NC	=	Neighborhood commercial	CS	=	Community services
LR	=	Low-density residency	PS	=	Postsecondary

1

SIC Code	Name of Use	Development and Locational Standards							
		Ag	MC	NC	LR	PR	AR	CS	PS
	RESIDENTIAL								
	Dwelling, one-family	P			P				
	Dwelling, two-family	P			P				
	Dwelling, mobile home	P			P				
	Mobile home park				R				
	AGRICULTURE, FORESTRY, AND FISHING								
01	Agricultural production—Crops	P							
0181	Ornamental nursery products	P							
02	Agricultural production—Livestock	P							
074	Veterinary services	P	P	P					
0781	Landscape counseling and planning	R							
092	Fish hatcheries and preserves	P							
	MINING								
144	Sand and gravel	S							
145	Clay, ceramic, and refractory minerals	S							
	MANUFACTURING								
201	Meat products	R							
202	Dairy products	R							
204	Grain mill products	R							
21	Tobacco products	R							
24	Lumber and wood products	R							

	TRANSPORTATION AND PUBLIC UTILITIES								
401	Railroads		P	P					S
43	Postal service		P	P					
483	Radio and television broadcasting								R
	RETAIL TRADE								
521	Lumber and other building materials		P	P					
523	Paint, glass, and wallpaper stores		P	P					
525	Hardware stores		P	P					
526	Retail nurseries and garden stores		P	P					
533	Variety stores		P	P					
539	Misc. general merchandise stores		P	P					
541	Grocery stores		P	P					
542	Meat and fish markets		P	P					
543	Fruit and vegetable markets		P	P					
544	Candy, nut and confectionery stores		P	P					
545	Dairy products stores		P	P					
546	Retail bakeries		P	P					
553	Auto and home supply stores		P	P					
554	Gasoline service stations		P	P					
	Convenience store		P	P					
581	Eating and drinking places		R	P					
591	Drugstores and proprietary stores		P	P					
592	Liquor stores		P	P					
593	Used merchandise stores		P	P					
5941	Sporting goods and bicycle shops		P	P					
5943	Stationery stores		P	P					
5961	Catalog and mail-order houses		P	P					

5983	Fuel oil dealers		S						
5984	Liquefied petroleum gas dealers		S						
5992	Florists		P	P					
5993	Tobacco stores and stands		P	P					
5994	News dealers and newsstands		P	P					
5995	Optical goods stores		P	P					
5999	Miscellaneous retail stores, nec		R	R					
	FINANCE, INSURANCE, AND REAL ESTATE								
6553	Cemeteries		P						P
	SERVICES								
702	Rooming- and boardinghouses; dorms				R				
703	Camps and recreational vehicle parks						R		
721	Laundry, cleaning, and garment services		R	R					
7215	Coin-operated laundries and cleaning		P	P					
723	Beauty shops		P	P					
724	Barber shops		P	P					
725	Shoe repair and shoeshine parlors		P	P					
7334	Photocopying and duplicating services		P	P					
7335	Commercial photography		P	P					
7336	Commercial art and graphic design		P	P					
7353	Heavy construction equipment rental	R							
7359	Equipment rental and leasing, nec	R							
753	Automotive repair shops		R	R					
754	Automotive services, except repair		P	P					
762	Electrical repair shops		P	P					
764	Reupholstery and furniture repair		P	P					
784	Video tape rental		P	P					
791	Dance studios, schools, and halls		P	P					

7991	Physical fitness facilities		P	P				
7992	Public golf courses					S		
	<u>Public</u> Elementary and secondary schools <u>(that are subject to the School Interlocal Agreement); (excludes charter and private schools)</u>						S	
822	Colleges and universities							S
823	Libraries—Less than 7500 sq. ft.		P	P				
823	Libraries—7500 sq. ft. or more						R	
824	Vocational schools							S
835	Day care services		R	P				
836	Residential care		R	P				
841	Museums and art galleries					S		
842	Botanical and zoological gardens					S		
864	Civic and social associations						P	
866	Religious organizations						P	
6553	Cemeteries		P					
	PUBLIC ADMINISTRATION							
922	Public order and safety						P	
9221	Police protection						P	
9223	Correctional institutions						S	
9224	Fire protection						P	
	RECREATION							
	Hiking and nature trails					P		
	Picnicking					P		
	Canoe trails					P		
	Bicycle trails					P		
	Horseback riding trails					P		
	Tot lots						P	
	Court sports						P	

	Field sports						P	
	Boat landings						P	
	Archaeological historical sites					S		

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2 (d) The maximum allowable gross square footage in the urban fringe district is as follows:

COMMERCIAL LAND USE TYPE		URBAN FRINGE
MINOR*		
	Total location	20,000
	Single site or quadrant	10,000
	Single structure	5,000
NEIGHBORHOOD**		
	Total location	100,000
	Single site or quadrant	100,000
	Single structure	50,000

3

4 * Maximum 10,000 gross square feet, if located on a local street

5 ** Only one neighborhood commercial site (quadrant) will be permitted at the intersection of a
6 major collector and arterial road. The maximum allowable commercial development permitted at
7 the neighborhood commercial area located at the intersection of two major collectors is 50,000
8 sq. ft. g.s.l.a.

9 (e) The minimum development standards in the urban fringe district are as follows:

		Low Density Residential		Commercial				
		Noncluster	Cluster	Noncluster	Cluster	Agricultural - Related Industrial	Community Services; Active Recreation ; Public, Primary and Secondary Schools	Comp. Plan Policy 2.1.9. Subdivision
MINIMUM SETBACKS (FEET)								
Front yard								
Building		30	30*	30	25*	50	30	25

Parking	—	—	40	40*	50	40	—
Corner yard							
Building	30	30*	30	25*	50	30	25
Parking	—	—	40	40*	50	40	—
Side yard							
Building	20	20*	40	20*	50	40	15
Parking	—	—	40	20*	50	40	—
Rear yard							
Building	50	50*	50	30*	50	50	50
Parking	—	—	40	10*	50	50	50
Adjoining lower intensity zoning district							
Building	—	—	—	—	100	—	—
Parking	—	—	—	—	100	—	—
Maximum percent impervious surface area	30	25**	30	25**	30	—	30
Heights (feet)							
Maximum at building envelope perimeter	35	35	35	35	35	35	35
Maximum additional height/additional zoning setback	1/1'	1/1'	1/1'	1/1'	1/1'	1/1'	1/1'
Total maximum height	—	35	45	45	45***	45	—
Minimum lot frontage	15	15	40	40	100	—	15
Minimum lot area	3.0	0.5	3.0	0.5	10.0	—	0.5

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* This number applies to the perimeter setback only.

**Maximum percent impervious area of developable portion of site.

*** This height applies to habitable portion of an industrial structure.

(f) Development standards. All proposed development shall meet the commercial site location standards (section 10-6.619); buffer zone standards (section 10-7.522); and the parking and loading requirements (Subdivision 3 of Division 5 of Article VII).

(g) Restricted uses and special exception uses. If uses are restricted or are special exception uses according to the schedule of permitted uses, they will not be allowed unless they follow the general development guidelines for restricted uses or for special exceptions as provided in this division. Specific restricted uses are addressed below.

(1) Eating and drinking establishments (SIC 581). No drive-in or drive-thru facilities are permitted within this district.

(2) Laundry, cleaning and garment services (SIC 721). Does not include dry cleaning plant operations; pick-up stations only.

(3) Funeral services and crematoriums (SIC 726). This use requires 100 percent opacity buffer surrounding perimeter with exception of access point.

(4) Camps and recreational vehicle parks (SIC 703).

a. A site plan shall be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:

1. Sanitary facilities shall be provided.
2. Not more than ten campsites per acre shall be provided.
3. Individual campsites, roadways, and accessory structures shall be located to meet the minimum building setback standards from the exterior property lines of the campground.

(5) Heavy construction equipment rental and equipment rental and leasing (SIC 7353 and 7359).

a. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:

1. Such equipment rental and leasing must be associated with timbering and/or agribusiness.
2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use. For purposes of this requirement, local and minor collector streets shall be those identified in the Comprehensive Plan and the Tallahassee-Leon County Long Range Transportation Plan.

(6) Mining activities.

a. All mining activities as defined on the schedule of permitted uses must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. This includes SIC items 144 and 145.

b. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:

1. The mining activity, all accessory uses and structures, internal roadways, and driveways onto the adjacent streets shall be set back a minimum of 100 feet from the perimeter property boundaries or 200 feet from the nearest off-site residence, residential zoning district, or subdivision intended primarily for residential land use, whichever distance is greater. This setback standard may be reduced if less of a setback is approved in writing by the adjacent property owner or owners prior to site plan approval or if the adjacent property is also used as a mining activity.
2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use.

1 For purposes of this requirement, local and minor collector streets shall be
2 those identified in the local government Comprehensive Plan and the
3 Tallahassee-Leon County Long Range Transportation Plan.

4 3. A land reclamation plan shall be submitted demonstrating that upon
5 termination of the activity the land shall be returned to a condition that will
6 allow an effective reuse comparable to surrounding properties.

7 4. Fencing requirement: All areas proposed for use, currently used, or previously
8 used, in open-pit mining operations and/or construction and demolition debris
9 disposal must be secured by a fence, unless the area is determined to be a
10 reclaimed open-pit mine by the county administrator or designee. The fence
11 must be at least four feet in height with openings that will reject the passage of
12 a seven-inch diameter sphere. The fence must be equipped with a gate which
13 shall remain locked when workers or employees of the land owner or mining
14 company are not present at the site. At every gate or access point, at least
15 one sign must be posted which states, in at least four-inch tall letters,
16 "Danger," "Keep Out," "No Trespassing," or similar language to indicate that
17 there may be hazardous conditions on the premises.

18 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-17, § 3, 7-22-08; Ord. No. 09-02, § 2, 1-15-09;
19 Ord. No. 09-12, § 4, 3-19-09; Ord. No. 12-01, § 1, 1-24-12)

20
21 **SECTION 3.** Section 10-6.615 of Article VI of Chapter 10 of the Code of Laws of Leon County,
22 Florida, entitled "Rural Community" is hereby amended to read as follows:

23
24 **Sec. 10-6.615. - Rural community.**

25 (a) Purpose and intent. The purpose of the rural community district is to accommodate hamlets
26 or villages that develop in an area that is surrounded by very-low-intensity rural land use.
27 This district allows residential development up to four dwelling units per acre. Small to
28 moderate sized commercial development is allowed in order to give local and surrounding
29 rural residents access to basic shopping opportunities. This district is intended to allow for
30 the creation and continued maintenance of villages rather than an urban neighborhood. As
31 such it is not intended to function as a growth node or to contribute to urban sprawl. Central
32 sewer and water systems designed for lower density service may be present or
33 constructed.

34 The shops and services that may be located in this district will be limited in scale, function,
35 and number. Commercial retail and office establishments located within this district will
36 provide residents within the village/district with convenient access to necessary goods,
37 groceries, and other essential items and services rather than attract shoppers from other
38 parts of the community. Commercial establishments will be limited in size as well as in
39 vehicular access and parking opportunities to assure compatibility with the rural character
40 of the village.

41 (b) Allowable uses. For the purpose of this article, the following land use types are allowable in
42 this zoning district and are controlled by the land use development standards of this article,
43 the Comprehensive Plan and schedules of permitted uses.

- 44 (1) Minor commercial.
- 45 (2) Neighborhood commercial.
- 46 (3) Low-density residential.
- 47 (4) Passive recreation.
- 48 (5) Active recreation.
- 49 (6) Community services.
- 50 (7) Light infrastructure.
- 51 (8) Heavy infrastructure.
- 52 (9) Postsecondary.
- 53 (10) Light industrial—Minor (agricultural related only).

54 (c) List of permitted uses. Some of the uses on these schedules are itemized according to
55 the Standard Industrial Code (SIC). Allowable uses, appropriate permit level and applicable
56 development and locational standards in the rural community district are as follows:

57
58 P = Permitted use R = Restricted use S = Special exception

Legend					
MC	=	Minor commercial	CS	=	Community services
NC	=	Neighborhood commercial	PS	=	Postsecondary
LR	=	Low-density residential			

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		Development and Locational Standards				
SIC Code	Name of Use	MC	NC	LR	CS	PS
	RESIDENTIAL					
	Dwelling, one-family			P		
	Dwelling, two-family			P		
	Dwelling, mobile home			P		
	Mobile home park			S		
	AGRICULTURE, FORESTRY, AND FISHING					
074	Veterinary services	P				
	TRANSPORTATION AND PUBLIC UTILITIES					
43	Postal service	P	P			
	RETAIL TRADE					
521	Lumber and other building materials	P	P			
523	Paint, glass, and wallpaper stores	P	P			
525	Hardware stores	P	P			
526	Retail nurseries and garden stores	P	P			
539	Misc. general merchandise stores	P	P			
541	Grocery stores	P	P			
542	Meat and fish markets	P	P			
543	Fruit and vegetable markets	P	P			
544	Candy, nut and confectionery stores	P	P			
545	Dairy products stores	P	P			
546	Retail bakeries	P	P			
553	Auto and home supply stores	P	P			
554	Gasoline service stations	P	P			
	Convenience store	P	P			
56	Apparel and accessory stores	P	P			
571	Furniture and homefurnishings stores	P	P			
572	Household appliance stores	P	P			
573	Radio, television, and computer stores	P	P			
5736	Musical instrument stores	P	P			
581	Eating and drinking places	P	P			
591	Drugstores and proprietary stores	P	P			
592	Liquor stores	P	P			
593	Used merchandise stores	P	P			
5941	Sporting goods and bicycle shops	P	P			
5942	Bookstores	P	P			
5943	Stationery stores	P	P			

5944	Jewelry stores	P	P			
5945	Hobby, toy, and game shops	P	P			
5946	Camera and photographic supply stores	P	P			
5947	Gift, novelty, and souvenir shops	P	P			
5948	Luggage and leather goods stores	P	P			
5949	Sewing, needlework, and piece goods	P	P			
5961	Catalog and mail-order houses	P	P			
5983	Fuel oil dealers		S			
5984	Liquefied petroleum gas dealers		S			
5992	Florists	P	P			
5993	Tobacco stores and stands	P	P			
5994	News dealers and newsstands	P	P			
5995	Optical goods stores	P	P			
5999	Miscellaneous retail stores, nec	P	R			
	FINANCE, INSURANCE, AND REAL ESTATE					
602	Commercial banks	P	P			
603	Savings institutions	P	P			
606	Credit unions	P	P			
611	Federal and federal sponsored credit	P	P			
64	Insurance agents, brokers, and service	P	P			
65	Real estate	P	P			
	SERVICES					
702	Rooming- and boardinghouses; dorms			R		
721	Laundry, cleaning, and garment services	R	R			
7215	Coin-operated laundries and cleaning	P	P			
722	Photographic studios, portrait	P	P			
723	Beauty shops	P	P			
724	Barber shops	P	P			
725	Shoe repair and shoeshine parlors	P	P			
7334	Photocopying and duplicating services	P	P			
7335	Commercial photography	P	P			
7336	Commercial art and graphic design	P	P			
7359	Equipment rental and leasing, nec	R	R			
753	Automotive repair shops	P	P			
754	Automotive services, except repair	P	P			
762	Electrical repair shops	P	P			
763	Watch, clock, and jewelry repair	P	P			
764	Reupholstery and furniture repair	P	P			
784	Video tape rental	P	P			
791	Dance studios, schools, and halls	P	P			
7991	Physical fitness facilities	P	P			
7993	Coin-operated amusement devices	P	P			
7997	Membership sports and recreation clubs	P	P			
801	Offices and clinics of medical doctors	P	P			
802	Offices and clinics of dentists	P	P			
804	Offices of other health practitioners	P	P			

805	Nursing and personal care facilities	P	P	P		
81	Legal services	P	P			
821	Elementary and middle schools				S	
822	Colleges and universities					S
823	Libraries—Less than 7500 sq. ft.	P	P			
823	Libraries—7500 sq. ft. or more				P	
824	Vocational schools					S
835	Day care services	R	P			
841	Museums and art galleries	P	P		P	
842	Botanical and zoological gardens	P	P		P	
864	Civic and social associations	P	P			
866	Religious organization	P	P			
	PUBLIC ADMINISTRATION					
91	Executive, legislative, and general				P	
922	Public order and safety				P	
9221	Police protection				P	
9224	Fire protection				P	
	RECREATION					
	Hiking and nature trails				P	
	Picnicking				P	
	Canoe trails				P	
	Bicycle trails				P	
	Horseback riding trails				P	
	Tot lots				P	
	Court sports				P	
	Field sports				P	
	Boat landings				P	
	Archaeological historical sites				S	S

- 1
- 2 (d) The maximum allowable gross square footage in the rural community district is as follows:

COMMERCIAL LAND USE TYPE	RURAL COMMUNITY
MINOR*	
Total location	40,000
Single site or quadrant	20,000
Single structure	10,000
NEIGHBORHOOD**	
Total location	50,000
Single site or quadrant	50,000
Single structure	50,000

- 3 * Maximum of 10,000 gross square feet, if located on a local street.
- 4 ** Only one neighborhood commercial site (quadrant) will be permitted at the intersection of a
5 major collector and arterial road. The maximum allowable commercial development permitted at
6 the neighborhood commercial area located at the intersection of two major collectors is 50,000
7 sq. ft. g.s.l.a.
- 8 (e) The minimum development standards in the rural community district are as follows:

	DEVELOPMENT TYPE					
	Low-Density Residential		Commercial, Office		Agricultural-Related Minor Industrial	Community Services and Postsecondary Schools
	Noncluster	Cluster	Noncluster	Cluster		
MINIMUM SETBACKS (FEET)						
Front yard						
Building	25	25**	25	25**	50	2 5
Parking	—	—	20	20**	50	40
Corner yard						
Building	20	20**	25	25**	50	2 5
Parking	—	—	20	20**	50	40
Side yard						
Building	10	20**	20	20**	50	2 0
Parking	—	—	20	20**	50	20
Rear yard						
Building	25	20**	25	25**	50	2 5
Parking	—	—	20	20**	50	20
Adjoining lower intensity zoning district						
Building	—	—	50	50**	100	—
Parking	—	—	20	20**	100	—
Maximum % impervious surface area	40	25***	60	25***	25	60
Maximum height at building envelope perimeter	35	35	35	35	35	35
Maximum additional height/additional zoning setback	1/1	1/1	1/1	1/1	1/1	1/1
Total maximum height	—	35	45	45	45*	45*
Minimum lot frontage	15	15	30	30	60	—
Minimum lot size (acres)	.25	.10	.50	.25	1.0	—

- 1 * This number applies to habitable portion of a structure.
- 2 ** This number applies to the perimeter setback only.
- 3 *** Maximum percent of impervious area of developable portion of site.
- 4 (f) Development standards. All proposed development shall meet the commercial site location
- 5 standards (section 10-6.619); buffer zone standards (section 10-7.522); and the parking
- 6 and loading requirements (subdivision 3 of division 5 of article VII).
- 7 (g) Specific restrictions. If uses are restricted according to the schedule of permitted uses, they
- 8 are not allowed unless they follow the general development guidelines for restricted uses as
- 9 provided in this division. Specific restricted uses are addressed below.
- 10 (1) Laundry, cleaning and garment services (SIC 721). Does not include dry cleaning plant
- 11 operations; pick-up stations only.
- 12 (Ord. No. 07-20, § 2, 7-10-07)

13

14 **SECTION 4.** Section 10-6.617 of Article VI of Chapter 10 of the Code of Laws of Leon County,

15 Florida, entitled "Residential Preservation" is hereby amended to read as follows:

16

1 **Sec. 10-6.617. – Residential Preservation.**
2

3 (a) Purpose and intent. The residential preservation district is characterized by existing
4 homogeneous residential areas within the community predominantly accessible by local
5 streets. The primary function is to protect existing stable and viable residential areas from
6 incompatible land uses and density intrusions. Commercial, retail, office, and industrial
7 activities are prohibited. Certain nonresidential activities may be permitted, such as home
8 occupations consistent with the applicable provisions of section 10-6.803; community
9 services and facilities/institutional uses consistent with the applicable provisions of section
10 10-6.806; and churches, religious organizations, and houses of worship. Single-family,
11 duplex residences, manufactured homes, and cluster housing may be permitted within a
12 range of zero to six units per acre. Compatibility with surrounding residential type and
13 density shall be a major factor in the authorization of development approval and in the
14 determination of the permissible density.

15 (1) In residential preservation areas outside the urban service area, the density of the
16 nonvested development in residential preservation areas shall be consistent with the
17 underlying land use category.

18 (2) In residential preservation areas inside the urban services area, new residential
19 development densities shall be consistent with those within the developed portions of
20 the recorded or unrecorded subdivision in which they are located. Consistency for the
21 purposes of this paragraph shall mean that proposed lots shall not be smaller than the
22 smallest lot that was created by the original subdivision plat or any subsequent replat
23 that may have occurred consistent with county land development regulations in effect
24 at the time.

25 (3) When new residential development inside the urban services area is proposed for an
26 area not located within a recorded or unrecorded subdivision, densities shall be
27 permitted in the range of zero to six dwelling units per acre consistent with the
28 availability of central water and sewer service to accommodate the proposed
29 development. If central water and sewer service is not available, density shall be
30 limited to a maximum of two dwelling units per acre consistent with all applicable
31 provisions of the Environmental Management Act.

32 (4) Notwithstanding the provisions of subsection 10-6.617(a)(2) above, existing lots in a
33 recorded or unrecorded residential subdivision zoned residential preservation may be
34 resubdivided up to a maximum density of six dwelling units per acre provided that the
35 parent lot directly abuts an existing arterial or major collector roadway that was not
36 constructed as part of the subdivision's roadway network. This provision shall not apply
37 to lots whose current designated primary access is from a street internal to the
38 recorded or unrecorded subdivision zoned residential preservation. Existing lots of
39 record with no current frontage on a major collector or arterial roadway, as specified
40 above, cannot be aggregated to benefit from the provision of this section.

41 The following factors shall be used to determine the maximum allowed number of lots
42 per acre created pursuant to this subsection: a) the availability of water and sewer to
43 accommodate the proposed development as cited in subsection 10-617(a)(3) above; b)
44 compliance with applicable local and/or Florida Department of Transportation (FDOT)
45 roadway connection standards c) the mitigation of any adverse impacts on the
46 transportation network, and d) compliance with any other applicable provisions of the
47 Land Development Code, including those pertaining to environmental protection.
48 Acceptable mitigation for impacts to the transportation network include a common
49 ingress/egress access point for all newly created lots, frontage roadways, or any other
50 solution that mitigates the adverse impacts on the transportation network as
51 determined by the director.

52 (5) Allowable development type shall be construed to mean the following:

53 a. Parcels proposed for residential which are located in a recorded or unrecorded
54 subdivision shall develop consistent with the type of residential development
55 pattern located inside the recorded or unrecorded subdivision.

56 b. Parcels proposed for residential which are located inside the urban service area
57 and not in a recorded or unrecorded subdivision shall develop consistent with the
58 type of residential development pattern located adjacent to the vacant parcel.

59 c. Parcels proposed for residential development surrounded by a mix of conventional
60 single-family homes and manufactured homes, shall be developed for
61 conventional single-family homes.

62 d. Parcels proposed for residential development surrounded by a mix of single-family
63 and duplex development shall be developed for single-family use, unless duplex
64 residential development is the predominant type.

- 1 e. The placement of standard design manufactured homes and mobile homes shall
 2 be allowed in manufactured home parks, in subdivisions platted explicitly for
 3 allowing manufactured homes, or as a replacement unit for any lawfully existing
 4 manufactured home consistent with the provisions of article XII of this chapter.
- 5 (b) Allowable uses. For the purpose of this article, the following land use types are allowable in
 6 the RP zoning district and are controlled by the land use development standards of this
 7 article, the Comprehensive Plan and schedules of permitted uses.
- 8 (1) Low-density residential.
 9 (2) Passive recreation.
 10 (3) Active recreation.
 11 (4) Community services.
 12 (5) Light infrastructure.
- 13 (c) List of permitted uses. Some of the uses on these schedules are itemized according to the
 14 Standard Industrial Code (SIC). Those uses or activities permitted through special
 15 exception shall require review and approval by the Board of County Commissioners
 16 consistent with the provisions of section 10-6.611. Allowable uses, appropriate permit level
 17 and applicable development and locational standards in the residential preservation district
 18 are as follows:
- 19 P = Permitted use R = Restricted use S = Special exception

Legend						
LR	=	Low-density residential	CS	=	Community services	
PR	=	Passive recreation	LI	=	Light infrastructure	
AR	=	Active recreation				
Development and Locational Standards						
SIC Code	Name of Use	LR	PR	AR	CS	LI
	RESIDENTIAL					
	Dwelling, one-family	P				
	Dwelling, two-family	R				
	Dwelling, mobile home	P				
	Mobile home park	S				
	SERVICES					
	Elementary and secondary <u>schools legally established and in existence as of July 1, 2015, including expansions to existing facilities</u>				R	
	Religious organizations				S	
	PUBLIC ADMINISTRATION					

922	Public order and safety				S	
9221	Police protection				S	
9224	Fire protection				S	
	RECREATION					
	Hiking and nature trails		P			
	Picnicking		P			
	Canoe trails		P			
	Bicycle trails		P			
	Horseback riding trails		P			
	Tot lots			P		
	Court sports			P		
	Field sports			P		

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2 Placement of new mobile homes are limited to the following areas: existing mobile home parks;
3 and platted mobile home subdivisions. New mobile homes shall also be allowed as
4 replacements of lawfully existing mobile homes in other locations. New mobile home parks may
5 be established as per the provisions set forth in section 10-6.807.

6 (d) Development standards. All proposed development shall meet the applicable buffer zone
7 standards as outlined in section 10-7.522. For residential development in recorded or
8 unrecorded subdivisions, the development standards including front, rear, side, and side
9 corner yard setbacks for new residential development shall be consistent with the
10 developed portions of the recorded or unrecorded subdivision in which it is located. For new
11 residential development in residential preservation areas not located in recorded or
12 unrecorded subdivisions, the applicable development standards including, but not limited to
13 front, rear, side, and side corner yard setbacks shall be established at the time of
14 subdivision and site and development plan review.

15
16 **SECTION 5.** Section 10-6.618 of Article VI of Chapter 10 of the Code of Laws of Leon County,
17 Florida, entitled "Lake Talquin Recreational/Urban Fringe" is hereby amended to read as
18 follows:
19

20 **Sec. 10-6.618. – Lake Talquin Recreational/Urban Fringe.**

21
22 (a) Purpose and intent. The purpose and intent of the Lake Talquin recreational urban fringe
23 district is to allow the same density as the urban fringe district through required clustering to
24 protect environmentally sensitive areas. This area has unique characteristics in that it has
25 developed to a large extent with weekend or vacation homes along the lake.

26 In the future, a critical areas study will be performed for this area to ascertain the environmental
27 impacts of future development as well to produce a strategy to provide services. Once this study
28 has been completed the provisions of this district will be reassessed and this article will be
29 amended as appropriate.

30 (b) Allowable uses. For the purpose of this article, the following land use types are allowable in
31 this zoning district and are controlled by the land use development standards of this article,
32 the Comprehensive Plan and schedules of permitted uses.

33 (1) Minor commercial.

- 1 (2) Neighborhood commercial.
- 2 (3) Highway commercial.
- 3 (4) Minor office.
- 4 (5) Low-density residential.
- 5 (6) Passive recreation.
- 6 (7) Active recreation.
- 7 (8) Community services.
- 8 (9) Light infrastructure.
- 9 (10) Heavy infrastructure.
- 10 (11) Postsecondary.
- 11 (c) List of permitted uses. Some of the uses on these schedules are itemized according to the
- 12 Standard Industrial Code (SIC). Allowable uses, appropriate permit level and applicable
- 13 development and locational standards in the Lake Talquin recreation urban fringe district
- 14 are as follows:

15 P = Permitted use R = Restricted use S = Special exception

Legend					
Ag	=	Agricultural	PR	=	Passive recreation
MC	=	Minor commercial	AR	=	Active recreation
NC	=	Neighborhood commercial	CS	=	Community services
HC	=	Highway commercial	PS	=	Postsecondary
LR	=	Low-density residential			

16

SIC Code	Name of Use	Development and Locational Standards									
		Ag	MC	NC	HC	LR	PR	AR	CS	PS	
	RESIDENTIAL										
	Dwelling, one-family					P					
	Dwelling, two-family					P					
	Dwelling, mobile home					P					
	AGRICULTURE, FORESTRY, AND FISHING										
02	Agricultural production—Livestock	P									
074	Veterinary services		R	S							
	TRANSPORTATION AND PUBLIC UTILITIES										
43	Postal service		P	S					S		
	RETAIL TRADE										
521	Lumber and other building materials		P	P							
523	Paint, glass, and wallpaper stores		P	P	S						
525	Hardware stores		P	P	S						
526	Retail nurseries and garden stores		R	R							
539	Misc. general merchandise stores		P	P							
541	Grocery stores		P	P							
542	Meat and fish markets		P	P							
543	Fruit and vegetable markets		P	P							
544	Candy, nut and confectionery stores		P	P							

545	Dairy products stores	P	P						
546	Retail bakeries	P	P						
553	Auto and home supply stores	P	P						
554	Gasoline service stations	P	R	S					
	Convenience store	P	S	S					
56	Apparel and accessory stores	P	P						
571	Furniture and homefurnishings stores	P	P						
572	Household appliance stores	P	P						
573	Radio, television, and computer stores	P	P						
5736	Musical instrument stores	P	P						
581	Eating and drinking places	P	P						
591	Drugstores and proprietary stores	P	P						
592	Liquor stores	P	P						
593	Used merchandise stores	P	P						
5941	Sporting goods and bicycle shops	P	P						
5942	Bookstores	P	P						
5943	Stationery stores	P	P						
5944	Jewelry stores	P	P						
5945	Hobby, toy, and game shops	P	P						
5946	Camera and photographic supply stores	P	P						
5947	Gift, novelty, and souvenir shops	P	P						
5948	Luggage and leather goods stores	P	P						
5949	Sewing, needlework, and piece goods	P	P						
5961	Catalog and mail-order houses	P	P						
5983	Fuel oil dealers			S					
5984	Liquefied petroleum gas dealers			S					
5992	Florists	P	P						
5993	Tobacco stores and stands	P	P						
5994	News dealers and newsstands	P	P						
5995	Optical goods stores	P	P						
	FINANCE, INSURANCE AND REAL ESTATE								
6553	Cemeteries	P						P	
	SERVICES								
703	Camps and recreational vehicle parks						R		
722	Photographic studios, portrait	P	P						
723	Beauty shops	P	P						
724	Barber shops	P	P						
725	Shoe repair and shoeshine parlors	P	P						
7334	Photocopying and duplicating services	P	P						
7335	Commercial photography	P	P						
7336	Commercial art and graphic design	P	P						
753	Automotive repair shops	R	R						
754	Automotive services, except repair	R	R						
762	Electrical repair shops	P	P						
763	Watch, clock, and jewelry repair	P	P						
764	Reupholstery and furniture repair	P	P						

784	Video tape rental		P	P	P				
791	Dance studios, schools, and halls		P	P					
793	Bowling centers		P	P					
7997	Membership sports and recreation clubs		P	P					
821	Public Elementary and secondary schools (that are subject to the School Interlocal Agreement); (excludes charter and private schools)								S
822	Colleges and universities								S
823	Libraries—Less than 7,500 sq. ft.		P	P					
823	Libraries—7,500 sq. ft. or more								S
824	Vocational schools								S
841	Museums and art galleries								S
842	Botanical and zoological gardens								S
864	Civic and social associations		P	P					S
6553	Cemeteries		P						
	PUBLIC ADMINISTRATION								
922	Public order and safety								S
9221	Police protection								S
9223	Correctional institutions								S
9224	Fire protection								S
	RECREATION								
	Hiking and nature trails						P		
	Picnicking						P		
	Canoe trails						P		
	Bicycle trails						P		
	Horseback riding trails						P		
	Tot lots							P	
	Court sports							P	
	Field sports							P	
	Boat landings							P	
	Archaeological historical sites							S	

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2 (d) The maximum allowable floor area in the Lake Talquin urban fringe district is as follows:

COMMERCIAL LAND USE TYPE	LAKE TALQUIN RECREATION URBAN FRINGE
MINOR*	
Total location	20,000
Single site or quadrant	10,000
Single structure	5,000
NEIGHBORHOOD**	
Total location	100,000
Single site or quadrant	100,000
Single structure	50,000

3

4 * Maximum 10,000 gross square feet, if located on a local street.

1 ** Only one neighborhood commercial site (quadrant) will be permitted at the intersection of a
2 major collector and arterial road. The maximum allowable commercial development permitted at
3 the neighborhood commercial area located at the intersection of two major collectors is 50,000
4 sq. ft. g.s.l.a.

5 (e) The minimum development standards in the Lake Talquin urban fringe district are as
6 follows:

	Low Density Residential		Commercial		Agricultural - Related Industrial	Community Services; Active Recreation ; Public, Primary and Secondary Schools	Comp. Plan Policy 2.1.9. Subdivision
	Noncluster	Cluster	Noncluster	Cluster			
MINIMUM SETBACKS (FEET)							
Front yard							
Building	30	30*	30	25*	50	30	25
Parking	—	—	40	40*	50	40	—
Corner yard							
Building	30	30*	30	25*	50	30	25
Parking	—	—	40	40*	50	40	—
Side yard							
Building	20	20*	40	20*	50	40	15
Parking	—	—	40	20*	50	40	—
Rear yard							
Building	50	50*	50	30*	50	50	50
Parking	—	—	40	10*	50	50	50
Adjoining lower intensity zoning district							
Building	—	—	—	—	100	—	—
Parking	—	—	—	—	100	—	—
Maximum % impervious surface area	30	25**	30	25**	30	—	30
Heights (feet)							
Maximum at building envelope perimeter	35	35	35	35	35	35	35
Maximum additional height/additional zoning setback	1'1'	1'1'	1'1'	1'1'	1'1'	1'1'	1'1'
Total maximum height	—	—	45	45	45***	45	—
Minimum lot frontage	15	15	40	40	100	—	15
Minimum lot area (acres)	3.0	0.5	3.0	0.5	10.0	—	0.5

- 1 * This number applies to the perimeter setback only.
- 2 ** Maximum percent impervious of developable portion of site.
- 3 *** This height applies to habitable portion of an industrial structure.
- 4 (f) Development standards. All proposed development shall meet the commercial site location
- 5 standards (section 10-6.619); buffer zone standards (section 10-7.522); and the parking
- 6 and loading requirements (subdivision 3 of division 5 of article VII).

7
8 **SECTION 6.** Section 10-6.634 of Article VI of Chapter 10 of the Code of Laws of Leon County,
9 Florida, entitled "Residential Acre" is hereby amended to read as follows:

10 **Sec. 10-6.634. – Residential Acre.**

1. District Intent	PERMITTED USES	
	2. Principal Uses	3. Accessory Uses
The RA zoning district is intended to be located in areas designated Bradfordville Mixed Use Suburban, Urban Residential 2, or Woodville Rural Community on the Future Land Use Map and is intended to apply to selected areas located on the periphery of the urban service area where sanitary sewer is not expected to be available or environmental constraints exist. The regulations of this district are intended to permit low density or intensity development, consistent with environmental and infrastructure constraints, without precluding future expansion of urban services. The maximum gross density allowed for new residential development in the RA district is 1 dwelling unit per acre. This district also allows certain community and recreational facilities related to residential uses.	(1) Agricultural production-crops. (2) Cemeteries. (3) Community facilities related to residential uses including religious facilities, <u>libraries and police/fire stations. elementary Public Elementary</u> and middle schools <u>that are subject to the School Interlocal Agreement; excludes private and charter schools and libraries.</u> Vocational and high schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (4) Golf courses. (5) Passive and active recreational facilities. (6) Single-family detached dwellings.	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner	d. Rear	a. Building Size (excluding gross	b. Building Height (excluding stories

	Area					Lot		building floor area used for parking)	used for parking)
Single-Family Detached Dwellings	1 acre	80 feet	100 feet	35 feet	15 feet on each side; or any combination of setbacks that equals at least 30 feet, provided that no such setback shall be less than 10 feet	25 feet	25 feet	not applicable	3 stories
Any Permitted Principal Nonresidential Uses	1 acre	100 feet	100 feet	35 feet	15 feet on each side; or any combination of setbacks that equals at least 30 feet, provided that no such setback shall be less than 10 feet	25 feet	25 feet	10,000 square feet of gross building floor area per acre	3 stories

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2 GENERAL NOTES:

3 1. If central sanitary sewer is not available, nonresidential development is limited to a maximum
4 of 2,500 square feet of building area. Community service facilities are limited to a maximum of
5 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer
6 Policy 2.1.12 of the Comprehensive Plan for additional requirements.

7 2. Refer to the Environmental Management Act (EMA) for Information pertaining to the
8 regulation of environmental features (preservation/conservation features), stormwater
9 management requirements, etc.

10 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
11 of capacity for certain public facilities (roads, parks, etc.).

12 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09)

13

14 **SECTION 7.** Section 10-6.642 of Article VI of Chapter 10 of the Code of Laws of Leon County,
15 Florida, entitled "OR-1 Office Residential District" is hereby amended to read as follows:

16

17 **Sec. 10-6.642. – OR-1 Office Residential District.**

1. District Intent	PERMITTED USES	
	2. Principal Uses	3. Accessory Uses
The OR-1 district is intended to be located within areas designated Bradfordville Mixed Use or Suburban on the Future Land Use Map of the Comprehensive Plan in areas where employment and residential uses are encouraged to locate in close proximity to	(1) Bed and breakfast inns up to a maximum of 6 rooms. (2) Broadcasting studios. (3) Community facilities related to office or residential facilities, including libraries, religious facilities, police/fire stations, and elementary <u>and middle schools and high</u>	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as

<p>each other. The provisions of the OR-1 district are intended to provide the district with a residential character to further encourage this mixing of uses at a compatible scale. A variety of housing types, compatible non-retail activities of moderate intensity and certain community facilities related to office or residential facilities (recreational, community services, and light infrastructure) may be permitted in the OR-1 district. The regulations of these districts are not intended to displace viable residential areas. The maximum gross density allowed for new residential development in the OR-1 district is 8 dwelling units per acre, while the minimum gross density allowed is 6 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities.</p>	<p>schools. Vocational schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (4) Day care centers. (5) Medical and dental offices and services, laboratories, and clinics. (6) Non-medical offices and services, including business and government offices and services. (7) Nursing homes and other residential care facilities. (8) Passive and active recreational facilities. (9) Personal services. (10) Single-family attached dwellings. (11) Single-family detached dwellings. (12) Studios for photography, music, art, dance, drama, and voice. (13) Two-family dwellings. (14) veterinary services, including veterinary hospitals.</p>	<p>determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the administrator or designee.</p>
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	15 feet	7.5 feet on each side: or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	not applicable	3 stories
Two-Family Dwellings	8,500 square feet	70 feet	100 feet	15 feet	same as single-family above	15 feet	25 feet	not applicable	3 stories
Single-Family Attached	3,750 square feet	37.5 feet	80 feet	15 feet	none	15 feet	25 feet	Maximum length: 8	3 stories

Dwellings	6 feet wide unit, 2,400 square feet interio r lot	end unit; 25 feet interio r lot						units	
Any Permitted Principal Nonresidential Use	6,000 square feet	50 feet	100 feet	15 feet	Same as single- family above	25 feet	10 feet	10,000 square feet of gross building floor area per acre (does not apply to a conversion of an existing structure) or 12,500 square feet of gross building floor area per acre if the project is a mixed use developmen t	3 stories

7. Off-Street Parking Requirements: Off-street parking facilities associated with permitted principal nonresidential uses in the OR-1 zoning district must comply with the following requirements:

- a. Parking Setbacks: Side-Corner: 20 feet
Rear and Side-Interior: 10 feet
- b. Driveway Setbacks: Side-Corner: 10 feet (none if driveway is shared)
Rear and Side-Interior: 4 feet (none if driveway is shared)
- c. Off-street parking may not be placed in a front yard between a building and the street.
- d. The parking or driveway separation from the building is 4 feet.
- e. All off-street parking spaces behind a building shall be screened from the required front yard and side corner lot areas by evergreen landscaping at least 4 feet in height.
- f. Parking spaces shall be screened from rear and interior side property lines by a combination of a 6 foot high opaque fence or wall and landscape plant material.
- g. Driveways connecting to a public street shall be the narrowest possible width to ensure appropriate safety standards, as determined by the county administrator or designee.

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GENERAL NOTES:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrent Management Ordinance for Information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).

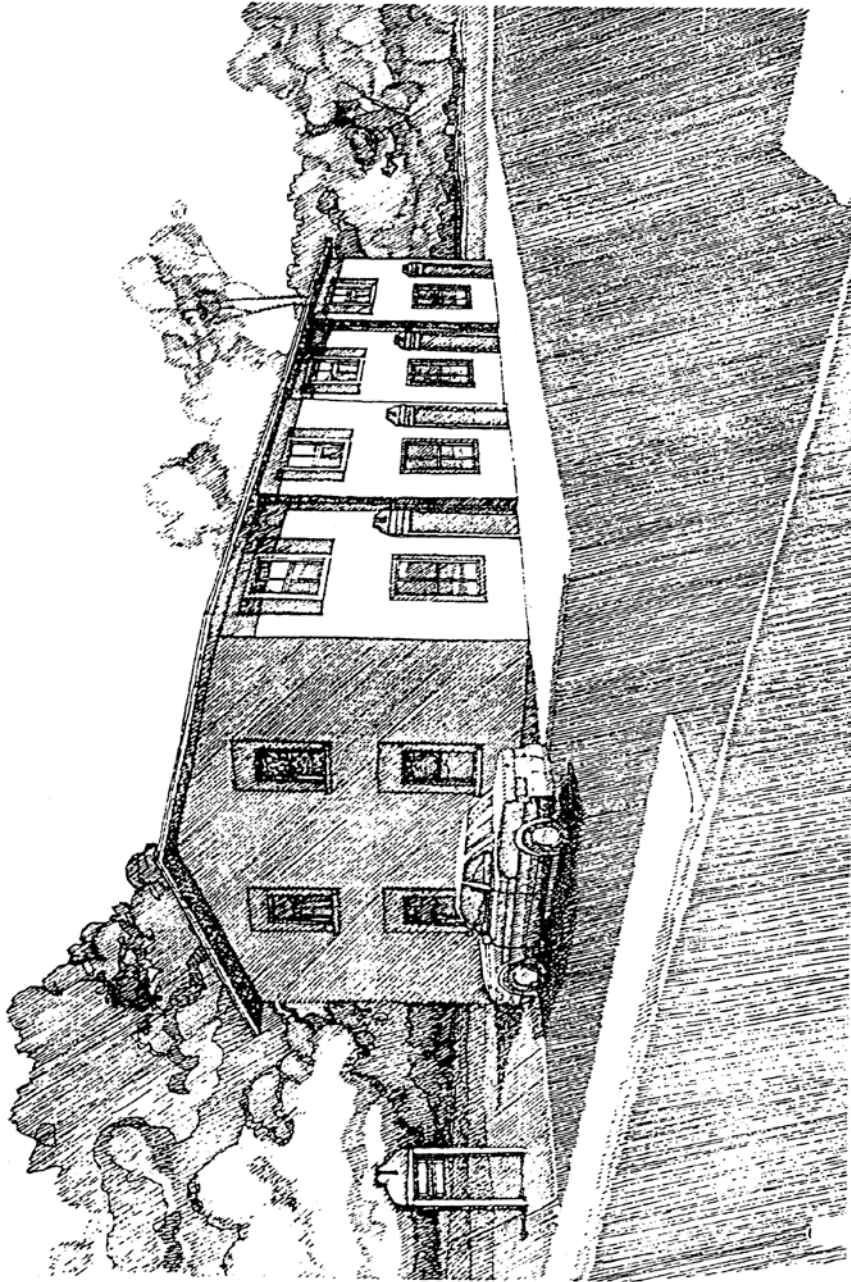
THIS: OR-1- Office Residential District -

Preserving the residential character of neighborhoods is essential when residential structures are converted to office use. Maintaining the landscape quality of the front yard area is required. Also, note the limited signage, parking to the side or rear, and screening and buffering of parking.



NOT THIS: OR-1- Office Residential District -

The residential character of this development is lost in a sea of parking. Building fronts that do not face the street, parking in front of the building and lack of landscaping make this an unacceptable neighbor in a residential area.



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(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09)

SECTION 8. Section 10-6.643 of Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, entitled "OR-2 Office Residential District" is hereby amended to read as follows:

Sec. 10-6.643. - OR-2 Office Residential District.

1. District Intent	PERMITTED USES	
	2. Principal Uses	3. Accessory Uses
<p>The OR-2 district is intended to be located within areas designated Bradfordville Mixed Use or Suburban on the Future Land Use Map of the Comprehensive Plan in areas where employment and residential uses are encouraged to locate in close proximity to each other. The provisions of this district are intended to promote urban density and intensity of residential and office</p>	<p>(1) Banks and other financial institutions. (2) Broadcasting studios. (3) Community facilities related to office or residential facilities, including libraries, religious facilities, police/fire stations and elementary, and middle, schools-high schools and vocational schools. Other community facilities may be allowed in</p>	<p>(15) Retail food and grocery (only allowed in a business park development). (16) Single-family attached dwellings. (17) Single-family detached dwellings. (18) Social, fraternal and recreational clubs and lodges, including assembly halls. (19) Stand-alone restaurants without drive-thrus (only</p> <p>(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure</p>

<p>uses and the mixing of permitted uses to promote the use of public transit and the efficient use of public infrastructure. Off-street parking facilities in the OR-2 district shall be located and designed to promote convenient access to pedestrian and mass transit facilities. A variety of housing types, compatible non-retail activities of moderate intensity, retail commercial activities (limited to the ground floor), and certain community and recreational facilities related to office or residential uses are permitted in the OR-2 district. The maximum gross density allowed for new residential development in the OR-2 district is 16 dwelling units per acre, while the minimum gross density allowed is eight dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities. In order to implement the business park development pattern, a minimum of ten acres is required with at least three types of uses which shall include office and commercial.</p>	<p>accordance with section 10-6.806 of these regulations. (4) Day care centers. (5) Golf courses. (6) Hotels and motels, including bed and breakfast inns. (7) Medical and dental offices and services, laboratories and clinics. (8) Multiple-family dwellings. (9) Nonmedical offices and services, including business and government offices and services. (10) Nursing homes and other residential care facilities. (11) Off-street parking facilities. (12) Passive and active recreational facilities. (13) Personal services. (14) Retail drug store with drive-thrus (only allowed in a business park development).</p>	<p>allowed in a business park development). (20) Studios for photography, music, art, dance, drama and voice. (21) Two-family dwellings. (22) Veterinary services, including veterinary hospitals. (23) Zero-lot line single-family detached dwellings. (24) Any use permitted in the C-1 district (and is not listed in uses 1—20 above), provided that the use is on the first floor of a multi-story building containing office and/or residential uses on any of the floors above the first floor.</p>	<p>and/or utility services and facilities necessary to serve permitted uses, as determined by the administrator or designee.</p>
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	15 feet	7.5 feet on each side: or any combination	15 feet	25 feet	not applicable	3 stories

					n of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet				
Two-Family Dwellings	8,500 square feet	70 feet	100 feet	15 feet	same as single-family above	15 feet	25 feet	not applicable	3 stories
Single-Family Attached Dwellings	1,600 square feet minimum ; average of 2,000 square feet	16 feet	none	15 feet	none	15 feet	25 feet	not applicable	3 stories
Multiple-Family Dwellings	10,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	25 feet	10 feet	not applicable	3 stories
Zero-Lot Line Single-Family Detached Dwellings	3,750 square feet	30 feet interior lot; 40 feet corner lot	100 feet	20 feet	0 feet one side; 5 feet other side	15 feet	25 feet	not applicable	3 stories
Any Permitted Principal Nonresidential Use	12,000 square feet	60 feet	100 feet	15 feet	15 feet on each side	25 feet	10 feet	20,000 square feet of gross building floor area per acre	3 stories
DEVELOPMENT STANDARDS—Continued									
Commercial Uses (Only Allowed in Business Park Development)	12,000 square feet	60 feet	100 feet	15 feet	15 feet on each side	25 feet	10 feet	20,000 square feet of gross building floor area per acre; Individual buildings may not exceed 15,000 gross square feet	3 stories
7. Additional Criteria and Restrictions for Business Park Development: Commercial uses shall not exceed 25 percent of the total square feet of the development.									

- 1 GENERAL NOTES:
 2 1. If central sanitary sewer is not available, residential development is limited to a minimum of
 3 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of
 4 building area. Community service facilities are limited to a maximum of 5,000 square feet of
 5 building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the
 6 Comprehensive Plan for additional requirements.
 7 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
 8 regulation of environmental features (preservation/conservation features), stormwater
 9 management requirements, etc.
 10 3. Refer to the Concurrent Management Ordinance for Information pertaining to the availability
 11 of capacity for certain public facilities (roads, parks, etc.).

12 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09; Ord. No. 09-33, § 3, 10-13-09)

13

14 **SECTION 9.** Section 10-6.644 of Article VI of Chapter 10 of the Code of Laws of Leon County,
 15 Florida, entitled "OR-3 Office Residential District" is hereby amended to read as follows:

16

17 **Sec. 10-6.644. - OR-3 Office Residential District.**

18

1. District Intent	PERMITTED USES		
	2. Principal Uses		3. Accessory Uses
The OR-3 district is intended to be located within areas designated Bradfordville Mixed Use or Suburban on the Future Land Use Map of the Comprehensive Plan in areas where employment and residential uses are encouraged to locate in close proximity to each other. The provisions of this district are intended to promote urban density and intensity of residential and office uses and the mixing of permitted uses to promote the use of public transit and the efficient use of public infrastructure. Off-street parking facilities in the OR-3 district shall be located and designed to promote convenient access to pedestrian and mass transit facilities. A variety of housing types, compatible nonretail activities of moderate intensity, retail commercial activities (limited to the ground floor), and certain community and recreational facilities related to office or residential uses are permitted in the OR-3 district. The maximum gross density allowed for new residential development in the OR-3 district is 20 dwelling units per acre, while the	(1) Banks and other financial institutions. (2) Broadcasting studios. (3) Community facilities related to office or residential facilities, including libraries, religious facilities, vocational, police/fire stations, elementary, middle, and high schools. Other community facilities may be allowed in accordance with section 18.1 of these regulations. (4) Day care centers. (5) Golf courses. (6) Hotels and motels, including bed and breakfast inns. (7) Medical and dental offices and services, laboratories, and clinics. (8) Multiple-family dwellings. (9) Nonmedical offices and services, including business and government offices and services. (10) Nursing homes, including other residential care facilities. (11) Off-street parking facilities.	(12) Passive and active recreational facilities. (13) Personal services. (14) Single-family attached dwellings. (15) Single-family detached dwellings. (16) Social, fraternal, recreational clubs and lodges, and assembly halls. (17) Studios for photography, music, art, dance, drama, and voice. (18) Two-family dwellings. (19) Veterinary services, including veterinary hospitals. (20) Zero lot line single-family detached dwellings. (21) Any use permitted in the C-1 district (and is not listed in uses 1—20 above), provided that the use is on the first floor of a multi-story building containing office and/or residential uses on any of the floors above the first floor.	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

minimum gross density allowed is eight dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities.			
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	15 feet	7.5 feet on each side: or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	not applicable	3 stories
Two-Family Dwellings	8,500 square feet	70 feet	100 feet	15 feet	same as single-family above	15 feet	25 feet	not applicable	3 stories
Single-Family Attached Dwellings	1,600 square feet minimum ; average of 2,000 square feet	16 feet	none	15 feet	none	15 feet	25 feet	not applicable	3 stories
Multiple-Family Dwellings	10,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	25 feet	10 feet	not applicable	3 stories
Zero-Lot Line Single-Family Detached Dwellings	3,750 square feet	30 feet interior lot; 40 feet corner lot	100 feet	20 feet	0 feet one side; 5 feet other side	15 feet	25 feet	not applicable	3 stories
Any	12,000	60	100	15	15 feet on	25	10	20,000	3 stories

Permitted Principal Nonresidential Use	square feet	feet	feet	feet	each side	feet	feet	square feet of gross building floor area per acre (SEE NOTE 4)	(SEE NOTE 4)
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2 GENERAL NOTES:

3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
4 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of
5 building area. Community service facilities are limited to a maximum of 5,000 square feet of
6 building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the
7 Comprehensive Plan for additional requirements.

8 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
9 regulation of environmental features (preservation/conservation features), stormwater
10 management requirements, etc.

11 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
12 of capacity for certain public facilities (roads, parks, etc.).

13 4. In properties formerly designated as Mixed Use-C in the Future Land Use Map, the maximum
14 nonresidential gross building floor area is 40,000 square feet per acre and the maximum
15 building height is 6 stories, if parking structures are provided for at least 50 percent of the
16 parking spaces.

17 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09)

18

19 **SECTION 10.** Section 10-6.647 of Article VI of Chapter 10 of the Code of Laws of Leon County,
20 Florida, entitled "C-2 General Commercial District" is hereby amended to read as follows:

21

22 **Sec. 10-6.647. - C-2 General Commercial District.**

1. District Intent	PERMITTED USES		
	2. Principal Uses		3. Accessory Uses
The C-2 district is intended to be located in areas designated Bradfordville Mixed Use, Suburban or Woodville Rural Community on the Future Land Use Map of the Comprehensive Plan shall apply to areas with direct access to major collector or arterial roadways located within convenient traveling distance to several neighborhoods, wherein small groups of retail commercial, professional, office, community and recreational facilities and other convenience commercial activities are permitted in order to provide goods and services that people frequently use in close proximity to their homes. The C-2 district is not intended to accommodate large scale commercial or	(1) Antique shops. (2) Automotive service and repair, including car wash. (3) Bait and tackle shops. (4) Banks and other financial institutions. (5) Camera and photographic stores. (6) Cocktail lounges and bars. (7) Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations, elementary, middle and high schools. Elementary schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (8) Day care centers. (9) Gift, novelty and souvenir shops.	(24) Residential (any type), provided that it is located on the second floor or above a building containing commercial or office uses on the first floor. (25) Restaurants, with or without drive-in facilities. (26) Retail bakeries. (27) Retail computer, video, record and other electronics. (28) Retail department, apparel and accessory stores. (29) Retail drug stores. (30) Retail florist. (31) Retail food and grocery. (32) Retail	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

<p>service activities or other types of more intensive commercial activity. The maximum gross density allowed for new residential development in the C-2 district is 16 dwelling units per acre, with a minimum gross density of eight dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum density. The residential uses are required to be located on the second floor or above of a building containing commercial or office uses on the first floor. Mixed use projects in the C-2 district are encouraged, but are not required. In order to maintain compact and nonlinear characteristics, C-2 districts shall not be located closer than ¼ mile to other C-2 or C-1 districts or to parcels of land containing commercial developments including more than 20,000 gross square feet of floor area and shall not exceed 30 acres in size.</p>	<p>(10) Indoor amusements (bowling, billiards, skating, etc.). (11) Indoor theaters (including amphitheaters). (12) Laundromats, laundry and dry cleaning pick-up. (13) Mailing services. (14) Medical and dental offices, services, laboratories and clinics. (15) Motor vehicle fuel sales. (16) Nonmedical offices and services, including business and government offices and services. (17) Nonstore retailers. (18) Passive and active recreational facilities. (19) Personal services (barber shops, fitness clubs, etc.). (20) Photocopying and duplicating services. (21) Rental and sales of dvds, video tapes and games. (22) Rental of tools, small equipment or party supplies. (23) Repair services, nonautomotive.</p>	<p>furniture, home appliances, accessories. (33) Retail home/garden supply, hardware and nurseries. (34) Retail jewelry store. (35) Retail needlework shops and instruction. (36) Retail newsstand, books, greeting cards. (37) Retail office supplies. (38) Retail optical and medical supplies. (39) Retail package liquors. (40) Retail pet stores. (41) Retail picture framing. (42) Retail sporting goods, toys. (43) Retail trophy store. (44) Shoes, luggage and leather goods. (45) Social, fraternal and recreational clubs and lodges, including assembly halls. (46) Studios for photography, music, art, dance and voice. (47) Tailoring. (48) Veterinary services, including veterinary hospitals. (49) Other uses, which in the opinion of the county administrator or designee, are of a similar and compatible nature to those uses described in this district.</p>	
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FOR ADDITIONAL DEVELOPMENT STANDARDS, REFER TO PAGE 2 OF 2

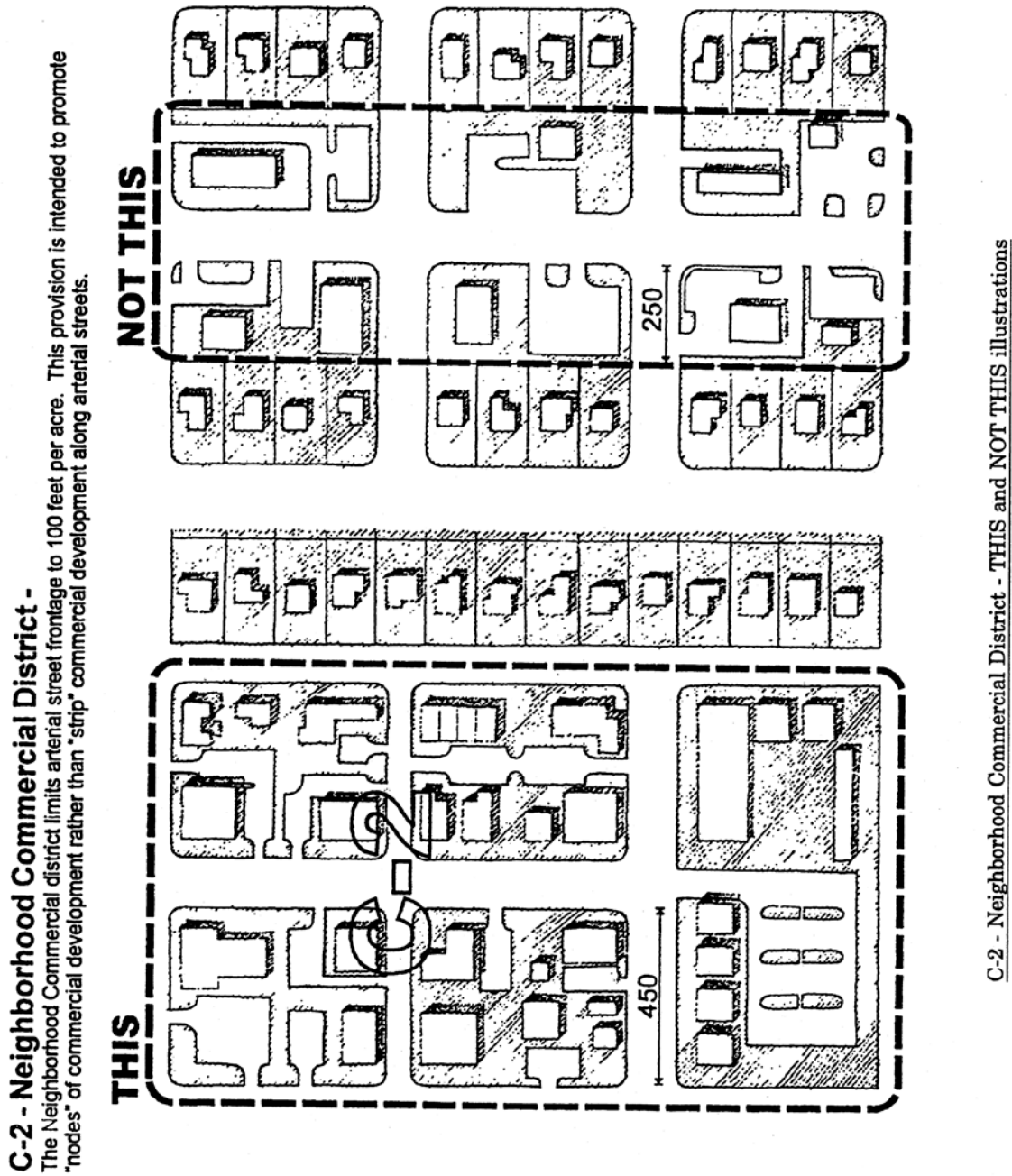
DEVELOPMENT STANDARDS									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Any Permitted Principal Use	none	none	none	25 feet	15 feet on each side	25 feet	10 feet	<p>Except for properties within the Woodville Rural Community, 12,500 square feet of nonresidential gross building floor area per acre and commercial and/or office uses not to exceed 200,000 square feet of gross building floor area for each district containing 20 acres or less. 12,500 square feet of nonresidential gross building floor area per acre and commercial and/or office uses not to exceed maximum of 250,000 square feet of nonresidential gross building area per district for districts containing more than 20 acres to 30 acres. Individual buildings may not exceed 50,000 gross square feet.</p> <p>Within the Woodville Rural Community, 12,500 square feet of nonresidential gross building area per acre and commercial uses not to exceed 50,000 square feet of gross building floor area per parcel.</p>	3 stories
<p>7. Street Vehicular Access Restrictions: Properties in the C-2 zoning district shall be located on a major collector or arterial street, but may have additional vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from nonresidential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RHA, R-1, R-2, R-3, R-4, R-5, MH and RP.</p>									

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2 GENERAL NOTES:

- 3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
4 0.50 acre lots and Inside the Urban Service Area nonresidential development is limited to a

- 1 maximum of 2,500 square feet of building area. Inside the Urban Service Area, community
- 2 service facilities are limited to a maximum of 5,000 square feet of building area of a 500 gallon
- 3 septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional
- 4 requirements.
- 5 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
- 6 regulation of environmental features (preservation/conservation features), stormwater
- 7 management requirements, etc.
- 8 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
- 9 of capacity for certain public facilities (roads, parks, etc.).



10
11 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09; Ord. No. 09-33, § 3, 10-13-09)

12 **SECTION 11.** Section 10-6.650 of Article VI of Chapter 10 of the Code of Laws of Leon County,
13 Florida, entitled "UP-1 Urban Pedestrian District" is hereby amended to read as follows:

14 **Sec. 10-6.650. - UP-1 Urban Pedestrian District.**

1. District Intent	PERMITTED USES		
	2. Principal Uses		3. Accessory Uses
The UP-1 district is intended to be located in areas designated Suburban or Bradfordville Mixed Use on the Future Land Use Map of the Comprehensive Plan and shall apply to compact,	(1) Antique shops. (2) Banks and other financial institutions, without drive-through facilities. (3) Camera and photographic stores. (4) Cocktail lounges and	(21) Residential (any type). (22) Restaurants without drive-in facilities. (23) Retail bakeries. (24) Retail	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more

<p>linear urban areas with direct access to an arterial roadway. The intent of this district is to promote the redevelopment of areas from lower intensity "strip" development pattern to a more intensive, higher density urban pattern. It is one of the intents of this district to permit the gradual conversion of existing development to the new standards by allowing the continuation of certain existing uses and allowing the conversion of those existing uses to drive-through uses, provided that the new uses meet the development standards of this district and foster an improved pedestrian environment. It is not intended that additional sites within this district be converted to new drive-through uses. The UP-1 district shall be located in areas near employment or activity centers with access to public transit. The provisions of this district are intended to promote more intensive and multiple use developments with pedestrian facilitation and orientation. Retail commercial, professional, office, medium density residential, and community and recreational facilities related to principal permitted uses are permitted. This district is not intended to accommodate regional scale commercial and service activities, not automotive oriented uses (auto sales, service or repair). New residential development shall have a minimum gross density of 6 dwelling units per acre and a maximum gross density of 16 dwelling units per acre. The minimum gross density requirements may be eliminated if constrains of concurrency or preservation and/or conservation features</p>	<p>bars. (5) Community facilities related to the permitted principal uses, including libraries, religious facilities, vocational and middle schools, and police/fire stations, vocational, elementary, middle and high schools. Elementary and high schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (6) Day care centers. (7) Gift, novelty, and souvenir stores. (8) Hotels and motels, including bed and breakfast inns. (9) Indoor amusements (bowling, billiards, skating, etc.). (10) Laundromats, laundry and dry cleaning pick-up stations without drive-through facilities. (11) Mailing services. (12) Medical and dental offices, services, laboratories, and clinics. (13) Nonmedical offices and services, including business and government offices and services. (14) Non-store retailers. (15) Off-street parking facilities. (16) Passive and active recreational facilities. (17) Personal services (barber shops, fitness clubs etc.). (18) Photocopying and duplicating services. (19) Rental and sales of dvds, video tapes and games. (20) Repair services, non-automotive.</p>	<p>computer, video, record, and other electronics. (25) Retail department, apparel, and accessory stores. (26) Retail drug store. (27) Retail florist. (28) Retail food and grocery. (29) Retail furniture, home appliances, accessories. (30) Retail home/garden supply, hardware, and nurseries without outside storage or display. (31) Retail jewelry stores. (32) Retail needlework shops and instruction. (33) Retail newsstand, books, greeting cards. (34) Retail package liquors. (35) Retail picture framing. (36) Retail trophy stores. (37) Shoes, luggage, and leather goods. (38) Social, fraternal and recreational clubs and lodges, including assembly halls. (39) Studios for photography, music, art, drama, and voice. (40) Tailoring. (41) Existing drive-through uses and existing motor vehicle fuel sales which were legally established and in existence on October 1, 1997. (42) Other uses, which in the opinion of the county administrator or designee, are of a similar and</p>	<p>than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.</p>
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preclude the attainment of the minimum densities.		compatible nature to those uses described in this district.	
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DEVELOPMENT STANDARDS									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height
Any Permitted Principal Use	none	none	none	0 feet minimum 10 feet maximum	none	0 feet minimum 10 feet maximum	20 feet minimum if adjoining a residential district	20,000 square feet of gross building floor area per acre and commercial uses not to exceed 200,000 square feet of gross building floor area per parcel	6 stories (excluding stories used for parking); or 4 stories (including stories used for parking) if proposed structure is within 150 feet of a low density residential zoning district
<p>7. Requirements and Incentives for Off-Street Parking Facilities: In order to create developments consistent with the intent of the district and to encourage mixed used and pedestrian friendly developments, off-street parking facilities associated with the construction of a new building or the expansion of an existing building are prohibited from being located in the front of the subject lot or parcel. The off-street parking requirements set forth in Subdivision 2 of Division 5 of Article VII, including the number of required off-street parking spaces and dimensional requirements are not applicable to properties in the UP-1 zoning district. Instead, the number of required off-street parking spaces and dimensional requirements shall be approved by the county administrator or designee during site plan review or permitting (whichever comes first) based on the information provided by the applicant.</p>									
<p>8. Additional Criteria for Nonresidential Uses: The construction of a new nonresidential building or expansion of an existing nonresidential building shall require the front lot and street side exterior walls on the ground floor to contain a minimum of 70 percent transparent material.</p>									
<p>9. Street Vehicular Access Restrictions: Properties in the UP-1 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from nonresidential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, and RP.</p>									
<p>10. Criteria for Conditional Uses: After October 1, 1997, drive-through facilities as part of a permitted use in this district may be permitted as conditional uses, providing that the following criteria are met: (a) the new use must be the redevelopment of a site which contains a conforming motor vehicle fuel sale use or a conforming drive-through use (see section No. 2 of this chart); (b) the new use complies with development standards of the zoning district; (c) the use has a cross building floor area in excess of 5,000 square feet; and (d) arterial street access does not exceed one vehicular access point per arterial street frontage.</p>									

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2 GENERAL NOTES:

- 3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
 4 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of
 5 building area. Community service facilities are limited to a maximum of 5,000 square feet of
 6 building area or a 500 gallon septic tank, also, refer to sanitary Sewer Policy 2.1.12 of the
 7 Comprehensive Plan for additional requirements.
 8 2. Refer to the environmental Management Act (EMN) for information pertaining to the
 9 regulation of environmental features (preservation/conservation features), stormwater
 10 management requirements, etc.
 11 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
 12 of capacity for certain public facilities (roads, parts, etc.).

13 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09)

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15 **SECTION 12.** Section 10-6.651 of Article VI of Chapter 10 of the Code of Laws of Leon County,
 16 Florida, entitled "UP-2 Urban Pedestrian District" is hereby amended to read as follows:

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18 **Sec. 10-6.651. - UP-2 Urban Pedestrian District.**

1. District Intent	PERMITTED USES		
	2. Principal Uses		3. Accessory Uses
The UP-2 district is intended to be located in areas designated Suburban or Bradfordville Mixed Use on the Future Land Use Map of the Comprehensive Plan and shall apply to compact, linear urban areas with direct access to an access roadway. The intent of this district is to promote the redevelopment of areas from lower intensity "strip" development pattern to a more intensive, higher density urban pattern. It is one of the intents of this district to permit the gradual conversion of existing development to the new standards by allowing the continuation of certain existing uses and allowing the conversion of those existing uses to drive-through uses, provided that the new uses meet the development standards of this district and foster an improved pedestrian environment. It is not intended that additional sites within this district be converted to new drive-through uses. The UP-2 district shall be located in areas near employment or activity centers with access to public transit. The provisions of this district are intended to promote	(1) Antique shops. (2) Banks and other financial institutions, without drive-through facilities. (3) Camera and photographic stores. (4) Cocktail lounges and bars. (5) Community facilities related to the permitted principal uses, including libraries, religious facilities, vocational and middle schools, and police/fire stations <u>vocational, elementary, middle and high schools. Elementary and high schools are prohibited.</u> Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (6) Day care centers. (7) Gift, novelty, and souvenir stores. (8) Hotels and motels, including bed and breakfast inns. (9) Indoor amusements (bowling, billiards, skating, etc.). (10) Laundromats, laundry and dry cleaning pick-up stations without drive-through facilities. (11) Mailing services. (12) Medical and dental offices, services, laboratories, and clinics.	(21) Residential (any type). (22) Restaurants without drive-in facilities. (23) Retail bakeries. (24) Retail computer, video, record, and other electronics. (25) Retail department, apparel, and accessory stores. (26) Retail drug store. (27) Retail florist. (28) Retail food and grocery. (29) Retail furniture, home appliances, accessories. (30) Retail home/garden supply, hardware, and nurseries without outside storage or display. (31) Retail jewelry stores. (32) Retail needlework shops and instruction. (33) Retail newsstand, books, greeting cards. (34) Retail package liquors. (35) Retail picture framing.	(1) A use of structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

<p>more intensive and multiple use developments with pedestrian facilitation and orientation. Retail commercial, professional, office, medium density residential, and community and recreational facilities related to principal permitted uses are permitted. This district is not intended to accommodate regional scale commercial and service activities, not automotive oriented uses (auto sales, service). New residential development that is exclusively residential shall have a minimum gross density of 6 dwelling units per acre and a maximum gross density of 16 dwelling units per acre. New residential development combined with nonresidential development shall have a minimum gross density of 6 dwelling units per acre and a maximum density of 20 dwelling units per acre. The minimum gross density requirements may be eliminated if constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities.</p>	<p>(13) Nonmedical offices and services, including business and government offices and services. (14) Non-store retailers. (15) Off-street parking facilities. (16) Passive and active recreational facilities. (17) Personal services (barber shops, fitness clubs etc.). (18) Photocopying and duplicating services. (19) Rental and sales of dvds, video tapes and games. (20) Repair services, non-automotive.</p>	<p>(36) Retail trophy stores. (37) Shoes, luggage, and leather goods. (38) Social, fraternal and recreational clubs and lodges, including assembly halls. (39) Studios for photography, music, art, drama, and voice. (40) Tailoring. (41) Existing drive-through uses and existing motor vehicle fuel sales which were legally established and in existence on October 1, 1997. (42) Other uses, which in the opinion of the county administrator or designee, are of a similar and compatible nature to those uses described in this district.</p>	
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height
Any Permitted Principal Use	none	none	none	0 feet minimum 10 feet maximum	none	0 feet minimum 10 feet maximum	20 feet minimum if adjoining a residential district	For properties that are exclusively nonresidential: 20,000 square feet of gross building floor area per acre	6 stories (excluding stories used for parking) only if proposed project combines nonresidential with

								and commercial uses not to exceed 200,000 square feet of gross building floor area per parcel. For properties that combine nonresidential with residential development : 40,000 square feet of gross building floor area per acre and commercial uses not to exceed 200,000 square feet of gross building floor area per parcel, provided that the combined development has at least 1 dwelling unit per 3,000 square feet of nonresidential use, or at least 1,000 square feet of nonresidential use per 3 dwelling units.	residential uses; or 4 stories (including stories used for parking) if proposed structure is within 150 feet of a low density residential zoning district.
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7. Requirements and Incentives for Off-Street Parking Facilities: In order to create developments consistent with the intent of the district and to encourage mixed uses and pedestrian friendly developments, off-street parking facilities associated with the construction of a new building or the expansion of an existing building are prohibited from being located in the front of the subject lot or parcel. The off-street parking requirements set forth in Subdivision 3 of Division 5 of Article VII, including the number of required off-street parking spaces and dimensional requirements are not applicable to properties in the UP-2 zoning district. Instead, the number of required off-street parking spaces and dimensional requirements shall be approved by the county administrator or designee during site plan review of permitting (whichever comes first) based on the information provided by the applicant.

8. Additional Criteria for Nonresidential Uses: The construction of a new nonresidential building or expansion of an existing nonresidential building shall require the front lot and street side exterior walls on the ground floor to contain a minimum of 70 percent transparent material.

9. Street Vehicular Access Restrictions: Properties in the UP-2 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from nonresidential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, and RP.

10. Criteria for Conditional Uses: After October 1, 1997, drive-through facilities as part of a permitted use in this district may be permitted as conditional uses, providing that the following criteria are met: (a) the new use must be the redevelopment of a site which contains a conforming motor vehicle fuel sale use or a conforming drive-through use (see section No. 2 of this chart); (b) the new use complies with development standards of the zoning district; (c) the use has a gross building floor area in excess of 5,000 square feet; and (d) arterial street access does not exceed one vehicular access point per arterial street frontage.

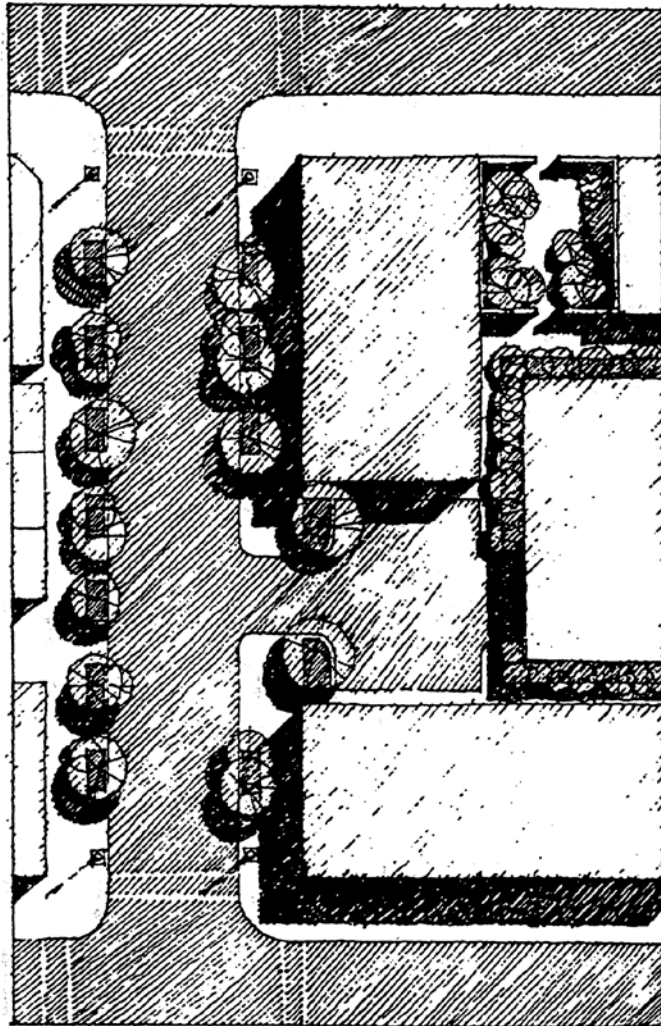
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2 GENERAL NOTES:

- 3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
4 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of
5 building area. Community service facilities are limited to a maximum of 5,000 square feet of
6 building area or a 500 gallon septic tank, also, refer to sanitary Sewer Policy 2.1.12 of the
7 Comprehensive Plan for additional requirements.
8 2. Refer to the environmental Management Act (EMN) for information pertaining to the
9 regulation of environmental features (preservation/conservation features), stormwater
10 management requirements, etc.
11 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
12 of capacity for certain public facilities (roads, parts, etc.).

13 **UP-1 & 2 - Urban Pedestrian Corridor Districts-**

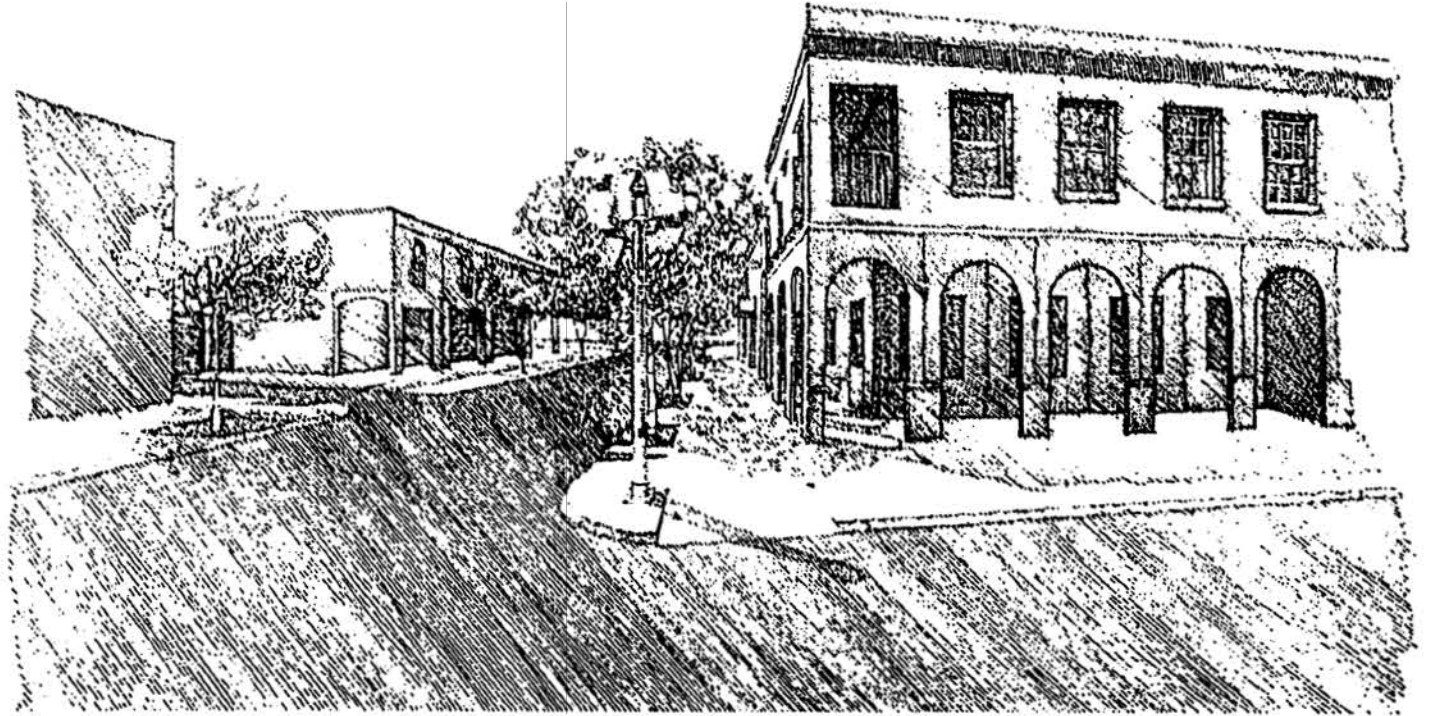
These zoning districts are intended to promote office and residential use above office or commercial use of the first floor. Design standards in the UPC districts require buildings to be built close to the street. 70% of the building facade facing a public street are required to be transparent.



UP-1 & 2 - Urban Pedestrian Corridor Districts(1)

UP-1 & 2 - Urban Pedestrian Corridor Districts-

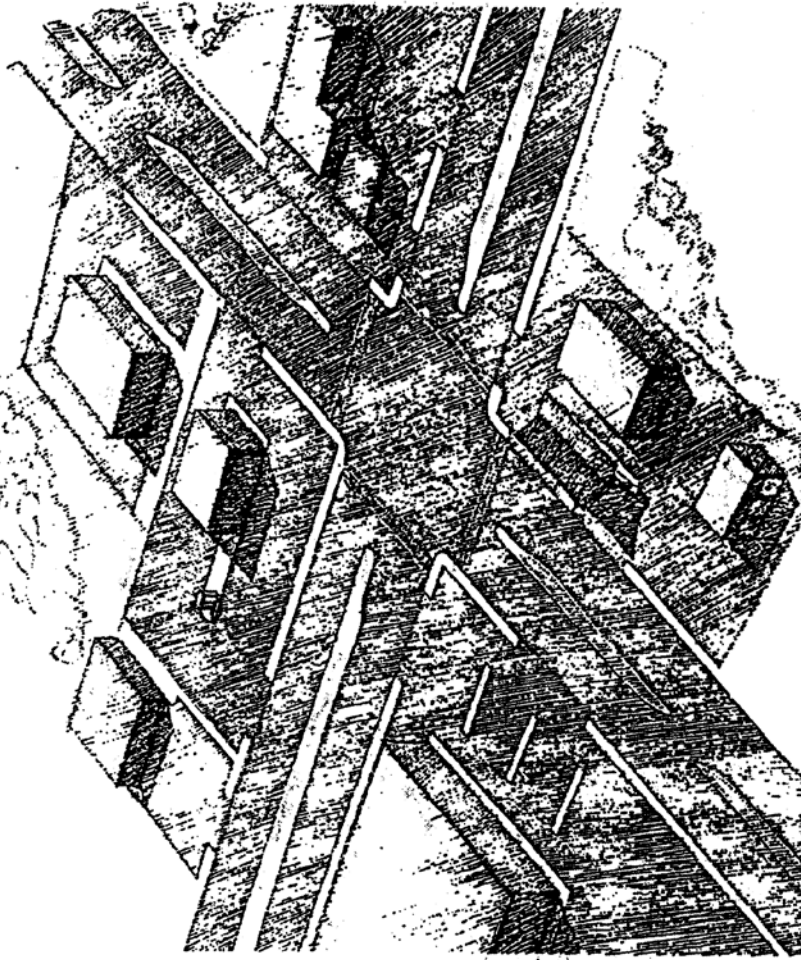
These zoning districts are intended to facilitate the change of older commercial areas from low intensity single use development to higher intensity mixed use development.



UP-1 & 2 - Urban Pedestrian Corridor Districts(2)

UP-1 & 2 - Urban Pedestrian Corridor Districts-

In order to promote pedestrian activity in the UPC districts building fronts are brought up close to the street. Parking is prohibited in front of buildings in the UPC districts and can occur to the side or rear. It is intended that most parking will be provided in shared parking structures in the interiors of blocks.



UP-1 & 2 - Urban Pedestrian Corridor Districts(3)

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(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09)

SECTION 13. Section 10-6.654.1 of Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, entitled "MCN Mahan Corridor Node District" is hereby amended to read as follows:

Sec. 10-6.654.1. - MCN Mahan Corridor Node District.

1. Purpose and Intent	2. Allowable District Location
<p>The Mahan Corridor Node (MCN) zoning district is intended to implement the Mahan Gateway Node Future Land Use Map (FLUM) category of the Comprehensive Plan. The MCN zoning district allows residential development, within a range of 6—12 dwelling units per acre; or, up to 16 dwelling units per acre when incentives are used. The MCN zoning district allows nonresidential development of up to 8,000 square feet floor area per acre; or, up to 12,000 square feet floor area per acre when incentives are used. Incentives for greater development density or intensity are provided for mixed-use development. Gross development intensities may be reduced in those instances where environmental limitations affect the amount of area that may be developed in any particular location. Nonresidential development allowed within this district is limited to office, nonautomotive related retail, services, and community facilities.</p>	<p>a. The district may only be located within areas designated Mahan Gateway Node on the Future Land Use Map. b. The district location is further limited to specific locations within the FLUM category, as follows: i. The MCN zoning district shall be located at those areas immediately surrounding the intersection of Mahan Drive and Dempsey Mayo Road, Edenfield Road/Highland Drive, and Thornton Road. ii. The MCN zoning district shall not extend more than 800 feet in either direction from the intersection of Mahan Drive and the perpendicular cross streets referenced in (i), nor shall it extend away from Mahan Drive more than 1,200 feet. iii. Future applications of the MCN zoning district shall not be approved if abutting parcels designated Residential Preservation on the FLUM. iv. Regardless of the provisions in i.-iii., the</p>

<p>The district is intended to accomplish the following:</p> <ul style="list-style-type: none"> • Preserve the attractive Mahan Drive gateway corridor; • Preserve the through-traffic mobility function and limit congestion of Mahan Drive by limiting direct access and promoting an interconnected local street network; • Accommodate compact mixed-use development at major intersections to provide convenience for area residents by providing access to common goods, services, and recreation within a short distance of home; • Provide a development pattern that is transit supportive, based on a high degree of interconnected streets, and a compact layout of use that addresses streets and sidewalks; • Create a development pattern that maximizes infrastructure and environmental efficiency by concentrating non-residential uses around major intersections; • Protect community health and safety by minimizing automobile dependency and reducing vehicle miles traveled through design supporting a variety of travel modes; • Create a community where travel by foot and bicycle is safe, convenient, and comfortable; • Minimize stormwater runoff by limiting surface area devoted to parking; and • Facilitate compatibility with nearby neighborhoods through buffers, transitioning building mass and scale, and through careful site design. 	<p>MCN zoning district is applicable in all areas designated Mahan Residential Corridor Node on the FLUM as of January 30, 2009.</p> <p>c. Within the areas described in (b), the location of the district may be further limited to facilitate compatibility with existing, adjoining residential preservation FLUM areas, minimize potential adverse environmental impacts, to correspond district boundaries with lot lines, or in recognition of physiographic features.</p>
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PERMITTED, PROHIBITED, AND CONDITIONAL USES			
3. Principal Uses	4. Prohibited Uses	5. Conditional Uses and Applicable Conditions	6. Accessory Uses
(1) Community Facilities/Service (2) Office—Medical (3) Office—Nonmedical (4) Recreation Facility—Passive (5) Residential—Multifamily (6) Residential—Single-family attached (7) Residential—Two-family (8) Restaurant (9) Retail Commercial (10) School—Elementary, Middle, High and Vocational	(1) Automotive and boat, sales, services, repair, and rental (2) Building contractors and related services (3) Campgrounds and recreational vehicle parks, except where legally established and in existence prior to January 01, 2010 (4) Car rental (5) Car wash facilities (6) Cocktail lounges and bars (7) Drive-through facilities (8) Funeral homes (9) Fuel/oil dealers and liquefied petroleum (LP) dealers (10) Golf courses (11) Heavy equipment rental	(1) Daycare centers. a. May be established after 300 dwelling units have been built within one-half-mile radius; or, b. May be established as part of a development application including other uses, in which case, must be limited to no greater than 45 percent of the total development floor area, and; c. May not obtain a certificate of occupancy prior to the issuance of certificate for no less than 45 percent of the remainder of the development. (2) Small appliance repair. a. All repair activity shall occur within an enclosed structure; (3) Hotels, motels, bed	(1) Any use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

	<p>(12) Manufactured home parks (13) Motor vehicle fuel sales (14) Outdoor storage (15) Residential—Mobile homes and standard design manufactured homes (16) Schools—High (17) Scrap material storage or processing (18) Towing, wrecking, and recovery (19) Warehouses and self-storage (20) Welding and machine shops (21) Wholesale trade</p>	<p>and breakfast inns. a. Shall be located no less than 300 feet from areas designated Residential Preservation on the FLUM, and; b. Shall not exceed 15 guest rooms. (4) Commercial kennels or pet day care. a. Shall be an accessory use to a veterinary clinic or pet store. b. Outside boarding and unsupervised outside activity are prohibited. (5) Shared stormwater management facilities. a. Shall be designed as an amenity. b. Safety fences shall be planted with vegetation equal to the fence height at plant maturity.</p>	
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DEVELOPMENT STANDARDS										
	7. Density, Intensity and Building Restrictions			8. Lot or Site Area Restrictions			9. Building Setbacks			
Use Category	a. Allowable Densities (dwelling units/acre)	b. Allowable Intensities (square feet/acre)	c. Maximum Building Height	a. Minimum Lot Area	b. Lot Width	c. Minimum Lot Depth	a. Front	b. Side Interior	c. Side Corner	d. Rear
SINGLE USE DEVELOPMENT										
Single-Family Attached Residential	Min: 6 Max: 10 With master planning bonus: 16 [See number 12.]	N/A	35 feet	N/A	N/A	N/A	Min: 10 feet Max: 15 feet	Min: 0 feet Max: 10 feet Adjoins RP Future Land Use Category: 25 feet min.	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40 feet min.
Multifamily Residential	Min: 6 Max: 10 With master planning bonus: 16 [See number	N/A	35 feet	N/A	N/A	N/A	Min: 5 feet Max: 15 feet	Min: 10 feet Max: 15 feet Adjoins RP Future Land	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40

	12.]							Use Category: 40 feet min.		feet min.
Nonresidential and Community Facilities	N/A	8,000 sf/ac; 10,000 sf/ac with master planning bonus [See number 12]	35 feet	N/A	N/A	N/A	Min: 5 feet Max: 15 feet	Min: Zero [abutting buildings] or 10 feet Max: 15 feet Adjoins RP Future Land Use Category: 40 feet min.	Min: Zero Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40 feet min.
MIXED-USE DEVELOPMENT										
Mixed-Use Development	Min: 6 Max: 12 With master planning bonus: 16 [See numbers 11 and 12.]	10,000 sf/ac; 12,000 sf/ac with master planning bonus. [See numbers 11 and 12.]	45 feet	N/A	N/A	N/A	Min: 5 feet Max: 15 feet	Min: Zero [abutting buildings] or 10 feet Max: 15 feet Adjoins RP Future Land Use Category: 40 feet min.	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40 feet min.

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10. Building Size Standards		
Use Category	a. Maximum Building Footprint	b. Maximum building floor area per structure
Single-Family Attached Residential	N/A	N/A
Multifamily Residential	15,000 square feet	N/A
Nonresidential and Community Facilities	Standard: 8,000 square feet With master planning bonus: 10,000 square feet	Standard: 14,000 square feet With master planning bonus: 20,000 square feet
Mixed-Use Development	Standard: 10,000 square feet With master planning bonus: 15,000 square feet	Standard: 30,000 square feet With master planning bonus: 40,000 square feet

11. Mixed Use Incentive Qualifications: Developments incorporating both residential and nonresidential uses within a single development application or those which retrofit an existing

development to include both residential and nonresidential uses, qualify for additional density and intensity provided for mixed-use development, pursuant to the following criteria:

- At the completion of all development phases, no less than 20 percent of the gross floor area within the development is devoted to either residential use or nonresidential use;
- The development consists of a mixture of uses within a single building or within multiple adjacent buildings, wherein the different uses are located no further than 200 feet apart; and,
- The development application must provide a common plan for the development of all included parcels, including shared infrastructure.

12. Master Planning Bonus: The following shall be entitled to the master planning bonus:

- Any development site area of eight or more acres; or
- Development site area of five or more acres wherein at least 50 percent of associated off-street parking will be provided in a shared facility; and at least 50 percent of the surface area required for stormwater management facility area is located below grade, or in a shared facility.
- The development site area may be composed of multiple parcels; in those instances, the development application must provide a common plan for the development of all included parcels.

13. Access Management:

- Direct access to Mahan Drive shall be limited and provided via public right-of-way.
- There shall be no more than one public right-of-way connection to Mahan Drive and to each adjacent collector street per each nodal quadrant; until such time as a street system is created to provide access to all parcels adjoining Mahan Drive and the adjacent collector street, individual properties may obtain access, if needed, on a temporary basis.
- Applicants for development shall enter an agreement to cooperate in any future project to consolidate access points or to share access with abutting properties as opportunities arise.

14. Blocks, Frontage, and Sidewalks: Street design and layout shall support an interconnected street network and pattern of a scale conducive to pedestrian and bicycle use.

- Block Length: Long side: 600 feet maximum, except where divided by a mid-block pedestrian crossing or alley, in which case, maximum block length may be 850 feet. Short side: Distance may vary between 200 and 400 feet to accommodate environmental and physiographic limitations.
- Mid-block Pedestrian Crossings: A publicly accessible pedestrian crossing shall be provided for blocks with a length greater than 600 feet on one or more sides.
- Sidewalk width and placement: Frontage sidewalks shall be a minimum of eight feet in width. All other sidewalks shall be no less than five feet in width.
- Pedestrian weather protection: Where practical, nonresidential and mixed-use buildings shall provide weather protection—arcade, awning, etc.—along the frontage sidewalk extending at least three feet.
- Alternative Surface Material: Use of distinctive paving texture, type, and color for transitions between neighborhoods and within pedestrian areas is encouraged. Interconnections between neighborhoods should also be distinguished through the use of vertical architectural elements, such as archways, gateways, or bollards.

15. Street Trees: All development or redevelopment shall incorporate street trees within the right-of-way, preferably between the back of curb and sidewalk.

- Street trees shall be planted between 20—30 feet on center, except when a greater distance may be required to avoid conflict with visibility, street lamps, utilities, or safety issues would be compromised with the required location.
- A minimum planting strip of six feet shall be provided between the back of curb and sidewalk, except where on-street parking is provided and tree wells or planters are more appropriate.
- Tree selection and location shall be approved by the local utility provider and shall be no higher than 20 feet at maturity when located beneath power lines.

16. Parking:

- Location: Parking shall not be located between the building facade and the right-of-way, and shall be located on-street, internal to the block, or to the rear of structures. Where site constraints necessitate, up to 25 percent of required parking may be permitted to the side of buildings.
- On-street parking: All streets created or expanded in association with development in this district shall be designed to accommodate on-street parking.
- Quantity: On-site parking shall be limited to a range of 40 percent to 70 percent of the general parking standard set forth in section 10-7.545, schedule 6-2. On-street parking, provided on adjacent rights-of-way within the MCN zoning district without crossing an arterial or collector street may be counted towards meeting the parking requirement. Shared parking may also count toward the requirement.
- Size: Individual off-street surface parking lots shall not exceed 0.75 acre.

17. Building Position:

- Orientation: The principal building entryway shall be oriented to the street, other than Mahan

Drive, and be designed to provide direct pedestrian access from that street. Where buildings are equidistant to two or more streets, the principal entryway may be located on either street. Buildings may be oriented toward Mahan Drive so long as there is a parallel street located between Mahan Drive and the building.

b. Encroachments: Porches, balconies, patios, pedestrian weather protection features and other like architectural features may encroach into 50 percent of the front setbacks. Seating within the required yard setbacks shall be allowed. Encroachments—permanent and temporary—shall not result in a constrained pedestrian passageway of less than five feet in width.

18. Building Facade Length: Nonresidential and mixed-use building facades along any public street frontage shall not exceed 100 feet, unless vertical structural elements and functional entrance doors divide that facade no less than every 50 feet.

19. Transparency: Adjacent to streets, sidewalks, and publicly accessible parking areas, nonresidential and mixed-use buildings shall provide a minimum facade transparency of 50 percent at pedestrian level—between two and eight feet above finished grade—and residential buildings shall provide a minimum facade transparency of 25 percent at pedestrian level.

20. Building Materials:

a. The following materials are prohibited: corrugated metal, standing seam, or v-crimp metal sheeting exterior walls or wall coverings.

b. The use of vinyl siding may not comprise more than 20 percent of any wall plane.

21. Roof Types:

a. All roof types are allowed. The use of gable roofs, cross gable roofs, and dormers are encouraged for buildings of two stories or less.

b. Flat roofs shall provide horizontal articulation with a building cap at the top of the building base and/or incorporate the use of parapets.

22. Buffering, fencing, and screening:

a. Buffer Zone Standards: Buffering is not required between uses in the MCN zoning district. Where development abuts Residential Preservation future land use areas, the landscape buffer standards of Section 10-7.522 shall apply.

b. Fencing: Chain link fencing visible from public right-of-way or property is prohibited, unless screened by vegetation that covers completely at plant maturity.

c. Screening of service connections and facilities: Outdoor service areas — loading docks, trash collection, outdoor storage, mechanical equipment — shall be mitigated by the use of screening material consistent with the materials and design treatments of the primary facade of the primary building and/or evergreen landscape plant material.

i. Landscape plans shall provide sight lines for natural surveillance between 3 and 8 feet above grade.

ii. The service areas shall not be within 50 feet of any adjoining residential property.

iii. The service areas shall be screened with vegetation and fences/masonry walls that are of sufficient height (minimum six feet) and opacity (minimum 50 percent) to screen from nearby streets and residential areas. Fences or masonry walls shall be constructed with materials that are incorporated in the design of the principal building.

iv. Above-ground utility boxes visible from the street shall be screened with landscaping on at least two sides, thereby preserving access for the utility provider.

d. Off-street parking—Landscaping: A minimum ten-foot wide landscaping strip shall line the perimeter of surface parking lots, and shall be landscaped with one canopy tree per 20 linear feet of frontage and a continuous row of shrubbery not to exceed three feet at maturity.

e. Required Landscaping—Alternative Compliance Methods. Development is encouraged to utilize the site design alternatives set out in Sections 10-4.346 and 10-4.350.

23. Lighting:

a. Intensity limits. Lighting levels at the property line as measured at six feet above ground level shall not exceed 0.5 footcandles. The footcandle average in on-site parking lots should not exceed 2.0 footcandles. The recommended maximum uniformity ratio (average: minimum light level) is 4:1.

b. Light fixture types and location:

i. "Shoebox" and "Cobrahead" lights are prohibited.

ii. All light fixtures shall be full cut-off type fixtures and direct light internal to the site.

iii. Individual light poles and wall mounted light fixtures shall be no taller than 20 feet above grade. Wall mounted light fixtures shall be placed no closer than every 25 feet along the facade. Lighted bollards are encouraged along pedestrian routes.

24. Signage: All signs shall comply with the county sign code and requirements set out in this section; where conflicts occur, the most restrictive standard applies.

a. Prohibited Signs: Roof signs, billboard signs, pole signs, signs that rotate or are in motion, including animated signs, are not allowed in this district.

b. One free-standing monument ground sign of no greater than 80 square feet display area per side, with no more than two sides, may be provided for each tenant. Properties shall be entitled

to one ground sign per 500 feet of frontage.

c. Maximum height of monument signs shall not exceed six feet above grade for single tenant structures and shall not exceed 15 feet above grade for multiple tenant structures.

d. Monument ground signs shall incorporate the same exterior materials as the principal structure, and should utilize exterior finish of metal, wood, or masonry materials.

e. Two on-site directional signs, not to exceed 4 square feet each, shall be allowed per tenant. Such signs are intended for navigational purposes and shall be free of logos, advertisements, badges, or slogans.

f. Sign Illumination:

i. Prohibited lighting: Flashing, rotating, pulsing, search, laser, or lights moving in any manner.

ii. Ground sign lighting: Ground signs are encouraged to be illuminated with an opaque field and letters of a lighter tone to control glare.

iii. Wall sign lighting: Wall mounted signs shall be internally illuminated or externally illuminated with full cut off-type light fixtures directed downward.

25. Stormwater Management Facilities:

a. Whenever possible, Low Impact Development (LID) techniques such as rain gardens and bio-retention swales are encouraged to allow stormwater infiltration to occur as close to the source as possible. A decentralized stormwater management design which disperses stormwater facilities across the site rather than to a centralized treatment facility is encouraged.

b. Landscape vegetation shall be incorporated around the perimeter of the stormwater facility, which at maturity will visually conceal required fencing.

c. Landscape plants should be native. A minimum of four different species of trees and shrubs shall be utilized. Stormwater management facilities shall incorporate appropriate tree and plant species that take into account the soil, hydrologic, and other site and facility conditions. Existing vegetation should be incorporated into the facility design where possible.

26. Facility Accommodation Credit Exchange. Where land area is dedicated to the state, Leon County, or City of Tallahassee for public facility development, the associated development rights may be transferred in whole or part to any other parcel within the MCN district. The resulting density and intensity shall not be greater than 200 percent of the amount which would otherwise be authorized to be developed.

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank, also, refer to sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.

2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.

3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

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2 (Ord. No. 10-07, § 3, 3-23-10)

3

4 **SECTION 14.** Section 10-6.655 of Article VI of Chapter 10 of the Code of Laws of Leon County,
5 Florida, entitled "Neighborhood Boundary Office" is hereby amended to read as follows:

6

7 **Sec. 10-6.655. - Neighborhood boundary office.**

8 (a) Purpose and intent: The purpose and intent of this district is to provide minor office
9 opportunities and higher intensity residential land uses up to a maximum of eight dwelling
10 units per acre. The district is intended to be located on the edges of existing or planned
11 single-family neighborhoods fronting on arterial and collector roadways and provides a
12 transition between the residential development and more intensive development. This
13 zoning district is not intended to be applied to the interior of an existing neighborhood or in
14 areas designated as Lake Protection on the Future Land Use Map of the Comprehensive
15 Plan. The provisions of this district are intended to allow higher density residential
16 development and nonresidential development that is compatible in scale and design with
17 adjoining residential neighborhoods. The maximum amount of nonresidential square
18 footage allowed per acre is 10,000 square feet, but additional criteria may further limit that
19 amount. Design guidelines applicable to this district include building orientation, lighting
20 criteria for nonresidential use, street vehicular access requirements, fencing, buffering, and

- 1 screening requirements, signs, noise source restrictions, and solid waste container
2 restrictions.
- 3 (b) Allowable uses: For the purpose of this article, the following land use types are allowable in
4 this zoning district and are controlled by the land use development standards of this article,
5 the Comprehensive Plan and schedules of permitted uses.
- 6 (1) Low density residential.
7 (2) Minor office.
8 **(3) Community Facilities and Services**
- 9 (c) List of permitted uses: The activity or use may be classified as principal, accessory,
10 restricted, or not allowed.

1. District Intent	PERMITTED USES (Page 1 of 3)		
	2. Principal Uses		3. Accessory Uses
The Neighborhood Boundary Office (NBO) district is intended to be located in areas designated as Neighborhood Boundary on the Future Land Use Map of the Comprehensive Plan and shall apply to areas located on the edges of existing or planned single-family attached and detached residential neighborhoods fronting arterial and collector roadways. The NBO district is intended to provide minor office opportunities serving the immediate area and higher intensity residential land uses while providing a transition between the residential development and more intensive development and preserving roadway capacity through appropriate access management. The intent of the access management requirements associated with this district is to reduce access points along the roadway system, to provide for interconnectivity between nonresidential developments within this land use category, and to encourage convenient walk-to work opportunities in close proximity to the residential areas it will serve. This zoning district shall not be applied to the interior of an existing neighborhood nor in areas designated as Lake Protection on the Future Land Use Map of the Comprehensive Plan. In addition, the NBO district shall not exceed 350 feet in depth parallel to the arterial	1. Offices (all types) 2. Multi-family Residential (any type except dormitories, fraternities and sororities) located on the second floor of a building containing the permitted office uses on the first floor. 3. Residential: Single-family-attached dwellings; Single-family-detached dwellings; and Two-family dwellings. 4. Community facilities and services related to residential uses including: elementary and middle schools	4. Other uses, which in the opinion of the county administrator or designee, are of a similar and compatible nature to those uses described in this district. Noise and lighting impacts shall be considered when determining the eligibility of additional land uses.	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principle use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

<p>or collector roadway in which it fronts or one (originally) platted lot whichever is less. The provisions of this district are intended to allow higher density residential development and nonresidential development that is compatible in scale and design with adjoining residential neighborhoods. The NBO district is not intended to accommodate large scale office development. The maximum gross density allowed for new residential development in the NBO district is eight (8) dwelling units per acre.</p>			
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2 General Notes:

- 3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
4 0.50 acre lots and inside the Urban Service Area, nonresidential development is limited to a
5 maximum of 2,500 square feet of building area. Also, refer to Sanitary Sewer Policies 3.1.6 and
6 3.1.7 of the Comprehensive Plan for additional requirements.
7 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
8 regulation of environmental features (preservation/conservation features), stormwater
9 management requirements, etc.
10 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
11 of capacity for certain public facilities (roads, parks, etc.)
12 4. If setbacks have been previously established by a preliminary plat or recorded plat, then
13 setbacks that have been established shall apply except where approved by the Development
14 Review Committee.
15 (d) Development standards. All proposed development shall meet the buffer zone standards
16 (section 10-7.522); the parking and loading requirements (subdivision 3 of division 5 of
17 Article VII) and the land use development criteria as specified below.

DEVELOPMENT STANDARDS									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks (Note 4)				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side — Interior Lot	c. Side — Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (Including stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	20 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet.	15 feet	25 feet	not applicable	2 Stories including floors devoted to parking.
Single-	3,750	37.5	80	20	Not applicable	15 feet	25	maximum	2 Stories

family Attached Dwellings	square feet end unit; 2,400 square feet interior lot	feet end unit; 25 feet interior lot	feet	feet			feet	length: 4 residential units	including floors devoted to parking.
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DEVELOPMENT STANDARDS									
Two-Family Dwellings	8,000 square feet	60 feet	100 feet	20 feet	Same as for single-family detached dwellings	15 feet	25 feet	A) Residential structures adjacent to existing single-family detached dwellings structures may not be less than 50% smaller than the smallest adjacent principal single-family detached dwelling structure: and B) All other two-family residential has no size limitations.	2 Stories including floors devoted to parking.
Any Permitted Nonresidential Principal Use	None	80 feet	None	25 feet	15 feet on each side	25 feet	25 feet	A) Nonresidential structures adjacent to existing residential single-family detached structures may not exceed 2 times that of the largest adjacent principal residential structure: and B) All other no-residential structures shall not exceed 5,000 square feet of nonresidential gross building floor area per parcel and 10,000 square feet per acre.	2 Stories including floors devoted to parking.
Community Facilities and Service Uses	NA	50 feet	80 feet	N/A	15 feet	15 feet	50 feet	8,500 square feet of gross building floor area per acre	35 feet

7. Building Orientation:

a. Nonresidential development and/or redevelopment of properties located at the intersection of arterial or collector roadways shall have a primary building entrance oriented toward the arterial or collector roadway.

8. Lighting Criteria for Nonresidential Uses: All nighttime lighting including wall mounted security lighting, shall not exceed 0.5 vertical surface foot-candle measured at the property line 6 feet above grade. Lighting shall not exceed 10 feet in height and shall have recessed bulbs and filters, which conceal the source of illumination. No wall or roof mounted flood or spotlights used as general grounds lighting are permitted. Wall mounted security lighting is permitted.

9. Street Vehicular Access Requirements:

a. Properties in the NBO zoning district may have vehicular access to any type of street except where specifically prohibited by this section.

b. Residential developments shall have access to the street serving the adjoining residential neighborhood where possible.

c. Nonresidential development is not permitted access onto the street serving the residential

neighborhood, or local street, and must have access onto the collector or arterial roadway.
d. All new nonresidential development shall construct a vehicular and pedestrian interconnection to adjoining properties that have an existing commercial use. Interconnections shall be required to adjoining vacant properties, which are zoned for commercial and/or office use. The vehicular interconnection shall be constructed with material consistent with constructed or proposed vehicular use areas. Location of such interconnections shall be approved by the county Engineer or designee and constructed prior to issuance of a Certificate of Occupancy. Required interconnections between properties and/or to a private or public roadway shall be placed in a cross access easement acceptable by the county Attorney. The Parking Standards Committee shall approve exemptions to and deviations from the interconnection requirements of this section.
10. Fencing, Buffering and Screening Requirements:
a. Chain link fencing is prohibited.
b. Buffering shall be in accordance with the provisions of section 10-7.522. Notwithstanding that any existing trees and vegetation are required to remain in place and must be used to either fully or partially satisfy the buffering requirements of section 10-7.522. In instances where existing trees and vegetation are not present or are not sufficient to satisfy the buffering requirements of section 10-7.522, then new plantings shall be required.
c. The off-site visual impacts associated with outdoor service functions or areas such as loading areas, trash collections, outdoor storage, or mechanical equipment shall be mitigated by the use of screening material consistent with the materials and design treatments of the primary facade of the primary building and/or evergreen landscape plant material.
d. On-site parking adjoining roadways shall be screened from view from public roadways by landscape buffers with a minimum height of three feet. Approved height of screening shall take into consideration the elevation of the site in relation to the public roadway.
e. Landscaping should be used to define on-site pedestrian corridors, building design elements, public areas, and viewsapes.
11. Signs:
All signs within the NBO district shall be designed in accordance with the current locally adopted sign code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the NBO district shall conform to the following minimum guidelines:
a. One wall-mounted sign per building per collector or arterial street frontage is permitted. A wall-mounted sign shall not exceed 10% of the area of the building wall area on which it is mounted. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed. Only one wall sign for multiple tenant office land uses shall be allowed.
b. No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.
c. Freestanding signs shall be setback a minimum of 10 feet from the right-of-way line.
d. Freestanding signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principle building.
e. One free standing sign per driveway access along the collector or arterial street frontage is permitted and shall be internally illuminated with an opaque field to control glare. The Maximum sign area permitted is 36 square feet with a maximum height of 10 feet.
12. Noise Source Restrictions: In the event that a property zoned NBO abuts a residential property, the noise source of the NBO zoned property shall not exceed an L10 noise level of 60 dBA in the daytime (7:00 A.M. to 7:00 P.M.) and an L10 noise level of 50 dBA in the night time (7:00 P.M. to 7:00 A.M.) as measured on the property line abutting the source.
13. Solid Waste Restrictions: New development and redevelopment may not place solid waste facilities within 30 feet of an adjoining residential property. However, such facilities shall be screened with a material consistent with the principle structure. The use of solid waste facilities greater than 90 gallons is prohibited within in the NBO district.
Sec. 1241. NBO Neighborhood Boundary Office District (Page 3 of 3)
DEVELOPMENT STANDARDS (Continued from page 2 of 3)
14. Additional Criteria for the Construction of New Nonresidential Buildings and Additions: The overall goals of this district is to provide a unified sense of place, a pedestrian scale, and design that reflects the general character and scale of typical residential structures in adjacent neighborhoods. No particular architectural style or materials are mandated Variety within these design criteria is encouraged. However, buildings shall be designed to reduce the mass, scale, and monolithic appearance of large structures. Flat roofs are prohibited. Roofs shall be

designed with a minimum pitch of 4 in 12 (four feet of rise per twelve feet of run). The horizontal footprint of a single roof plane may not exceed one thousand (1,000) square feet. Doors and windows shall be placed to reflect the predominant character and scale of adjacent residential structures, and to provide natural surveillance opportunities to discourage criminal activities. Exterior walls shall be designed with doors or windows spaced horizontally no more than fourteen (14) feet from each other. For purposes of this requirement, doors and windows shall be defined as having a horizontal dimension of no less than three (3) feet and no more than ten (10) feet. Development and redevelopment applications shall provide sufficient documentation including but not limited to architectural elevations (at time of site plan submittal) demonstrating that the proposed development is consistent with the following features of the adjoining neighborhood:

a. Building facades including building material, architectural style, and colors.

b. Roof forms

These criteria shall only apply to new construction and when building additions are being proposed.

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2 General Notes:

3 1. If central sanitary sewer is not available, residential development is limited to a minimum of
4 0.50 acre lots and inside the Urban Service Area, nonresidential development is limited to a
5 maximum of 2,500 square feet of building area. Also, refer to Sanitary Sewer Policies 3.1.6 and
6 3.1.7 of the Comprehensive Plan for additional requirements.

7 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
8 regulation of environmental features (preservation/conservation features), stormwater
9 management requirements, etc.

10 3. Refer to the Concurrency Management: Ordinance for information pertaining to the
11 availability of capacity for certain public facilities (roads, parks, etc.)

12 4. If setbacks have been previously established by a preliminary plat or recorded plat, then
13 setbacks that have been established shall apply except where approved by the Development
14 Review Committee.

15 (e) Specific restrictions. If uses are restricted according to the scheduled of permitted uses,
16 they must follow the general development guidelines for restricted uses as provided in this
17 division.

18 (Ord. No. 07-20, § 2, 7-10-07)

19

20 **SECTION 15.** Section 10-6.674 of Article VI of Chapter 10 of the Code of Laws of Leon County,
21 Florida, entitled "Bradfordville Commercial Pedestrian-Oriented District" is hereby amended to
22 read as follows:

23

24 **Sec. 10-6.674. - BC-2 Bradfordville commercial pedestrian-oriented district.**

PERMITTED USES			
1. District Intent	2. Principal Uses		3. Accessory Uses
The BC-2 district is intended to be located in areas designated Bradfordville mixed use in the future land use map of the Comprehensive Plan and shall apply to lands within the Bradfordville commercial center district. The intent of the BC-2 district is to implement the Bradfordville Study Area goals, objectives and policies of the Comprehensive Plan preserving the residential character of the Bradfordville Study Area through a mixture of uses	(1) Antique shops. (2) Banks and other financial institutions, without drive-through facilities. (3) Camera and photographic stores. (4) Cocktail lounges and bars. (5) Community facilities related to the permitted principal uses, including libraries, religious facilities, vocational and middle schools, and police/fire stations. Elementary and high High schools are prohibited. Other	(18) Residential (any type provided it is located on second floor above commercial or office development). (19) Restaurants without drive-in facilities. (20) Retail bakeries. (21) Retail computer, video, record, and other electronics. (22) Retail department, apparel, and	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve

<p>at a compatible scale with the adjacent residential communities. More specifically, the BC-2 district is intended to provide a location for areas of intense pedestrian scale and oriented commercial services for the Bradfordville area. The BC-2 district is intended to encourage residential and office development above ground floor commercial development. The BC-2 district also encourages shared parking and utilization of on-street parking. Drive through facilities are prohibited in the BC-2 district. Residential intensities shall not exceed 16 dwelling units per acre. The access management standards set forth in for the BC-2 district are intended to minimize and control ingress and egress to collector and arterial roadways and to promote smooth and safe traffic flow of the general traveling public. Increases in land zoned BC-2 shall demonstrate the need for additional services for the Bradfordville Study Area. Reuse of existing single use sites for multiple use developments, adding new uses to single use sites and/or multiple use developments that share parking facilities are encouraged in the BC-2 district. Expansions of the BC-2 district are prohibited in viable residential areas.</p>	<p>community facilities may be allowed in accordance with section 10-6.806 of these regulations. (6) Gift, novelty, and souvenir stores. (7) Indoor amusements (bowling, billiards, skating, theaters etc.). (8) Laundromats, laundry and dry cleaning pick-up stations without drive-through facilities. (9) Mailing services. (10) Medical and dental offices, services, laboratories, and clinics. (11) Non-medical offices and services, including business and government offices and services. (12) Off-street parking facilities. (13) Passive and active recreational facilities. (14) Personal services (barber shops, fitness clubs etc.). (15) Photocopying and duplicating services. (16) Rental and sales of dvds, video tapes and games. (17) Repair services, non-automotive.</p>	<p>accessory stores. (23) Retail drug store. (24) Retail florist. (25) Retail food and grocery. (27) Retail home/garden supply, hardware, and nurseries without outside storage or display. (28) Retail jewelry stores. (29) Retail needlework shops and instruction. (30) Retail newsstand, books, greeting cards. (31) Retail package liquors. (32) Retail picture framing. (33) Retail trophy stores. (34) Shoes, luggage, and leather goods. (35) Social, fraternal and recreational clubs and lodges, including assembly halls. (36) Studios for photography, music, art, drama, and voice. (37) Tailoring. (38) Other uses, which in the opinion of the county administrator or designee, are of a similar and compatible nature to those uses described in this district.</p>	<p>permitted uses, as determined by the county administrator or designee.</p>
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Any Permitted	none	none	none	none (5 feet)	none	none	30 feet	18,000 square feet of	3 stories

Principal and Special Exception Use				maximum)				commercial floor area per acre. No single use tenant shall exceed 10,000 gross square feet.
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7. Access Management Criteria. (In case of a conflict with the provisions of other ordinances or regulations, the most strict provisions shall apply):

(a.) Arterial and collector roads: Direct driveway access to arterial and collector roads is prohibited except for: 1) Existing driveway access as of July 28, 1998; 2) A single driveway access for properties in existence before July 28, 1998 which have sole access to the arterial road and does not have other street access; and 3) Temporary driveway access may be permitted for properties which establish permanent access to another public street and grant the local government with jurisdiction the right to close the temporary access without compensation upon opening of access to an alternative roadway.

(b.) All properties: All properties shall provide cross access easements benefiting adjoining properties to permit the development of an internal vehicular and pedestrian circulation system. All nonresidential properties shall provide driveway interconnections to adjoining nonresidential properties. All new developments proposing subdivision shall have shared access for every two parcels created where accessed from a local street.

(c.) Local streets: Full movement access to a local street shall not be permitted within 200 feet of a signalized intersection. Right-in/right-out access to a local street shall not be permitted closer than 100 feet to another access point or intersecting public street, nor within 200 feet of a signalized intersection, except properties with sole access to a local street are permitted at least one access point, which may be limited to right-in/right-out based upon a traffic safety evaluation.

8. Street Vehicular Access Restrictions: Properties in the BC-2 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from nonresidential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, R, and RP.

9. Landscape Standards: Development within the BC-2 shall be subject to the landscape requirements of this section in addition to those requirements of the Environmental Management Act (EMA). Where standards conflict, the stricter of the two shall apply. All landscape plans shall be prepared by a registered landscape architect as per F.S. § 481.

(a.) Arterial road landscaping: All properties fronting arterial roads shall provide and maintain a 30 foot wide landscape area immediately adjoining the arterial road. All vegetation within the 30 foot wide landscaped area of good condition four inches and larger shall be preserved. This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to section 7. above, but compensatory area shall be added, equal to the area of the driveway, adjacent to the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with section 13. below may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in subsection 10-4.349(b) toward meeting the tree planting requirement. Management of the existing trees within the 30 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed,

(b.) Collector road landscaping: All properties fronting collector and local roads shall provide and maintain a 20-foot-wide landscape area immediately adjoining the collector road. All vegetation within the 20-foot-wide landscaped area of good condition four inches and larger shall be preserved (This provision shall not apply where a primary entrance is oriented toward the street and there is no vehicular use area between the building and roadway). This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed (for redevelopment projects only) by driveways permitted pursuant to subsection 7. above, but compensatory area shall be added equal to the area of the driveway within the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13. may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in subsection 10-4.349(b) toward meeting the use planting requirement. Management of the existing trees within the 20 feet shall include pruning of dead and hazardous tree limbs, paining of live limbs less

than 25 percent of the green mass of the tree, fertilization, post control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(c.) Local road and access ways landscaping: All properties fronting a local road and every access way shall provide one canopy tree for every 15 linear feet of local road frontage and/or access way.

(d.) Street trees—All canopy tree planting areas shall contain a minimum of 200 sq. ft. of landscaped area. Creative design and spacing is encouraged.

(e.) Parking areas—All vehicular use areas shall be buffered from view from public streets and/or access ways through the use of vegetation and/or topography or other manmade structures so long as such structures are architecturally compatible with the principle structure. All manmade visual buffers greater than 20 feet in unbroken length shall be designed to provide interesting visual effects and reduce apparent mass through the use of vegetation and plane projections, material changes, changes in scale or other architectural features. Canopy tree cover for the parking area shall be provided so as to attain a minimum of 60 percent plan view shading within ten years of planting date. At grade parking grade shall include interior landscaped areas at a minimum ratio of 400 sq. ft. per 5,000 sq. ft. of vehicular use area located internally to the parking area. Where interior landscaped areas can not be obtained, the required landscaped area shall be placed between the proposed vehicular use area and the public right-of-way and/or access way. Existing vegetation shall be incorporated into the landscaped areas to the greatest extent possible. Planting areas shall have a minimum area of 400 sq. ft., with a minimum dimension of ten feet and shall have a depth of three feet of good planting soil.

(f.) Trees planted within a sidewalk area shall incorporate tree grates or other surfacing so as to not impede the flow of pedestrian traffic.

(g.) Buffer standards for uncomplimentary land uses shall meet the requirements of section 10-7.522 of the Land Development Code.

(h.) Developments within this district shall preserve a minimum of 25 percent of the total site as natural area. The required natural area may be located off-site if the required area is designated as public open space and is accepted by the public works department. On-site natural area shall encompass significant, naturally occurring vegetation areas or other significant environmental features.

(i.) Stormwater management facilities shall be landscaped in accordance with the Environmental Management Act, however, development is encouraged to provide innovative designs making such facilities an amenity to the site. All stormwater management facilities are encouraged to be constructed with 4:1 side slopes. Chain link and vinyl clad fencing enclosures are prohibited where stormwater management facilities are visible from public roadways/access ways. Where fencing and/or retaining walls are proposed and visible from a public roadway/access way, such fencing shall be architecturally compatible with the principle structure. Stormwater ponds shall be designed to imitate "natural" pond characteristics, including curved geometrics, gently sloping edges, landscaping and paving materials, and should be placed so as to be focal design amenities.

10. Signs:

All signs within the BC-2 district shall be designed in accordance with the current locally adopted building code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the BC-2 district shall conform to the following minimum guidelines:

(a.) One wall mounted sign per tenant per street frontage is permitted. A wall mounted sign shall not exceed ten percent of the area of the tenant wall area on which it is mounted. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed.

(b.) No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.

(c.) Freestanding signs shall be setback a minimum of ten feet from the right-of-way line.

(d.) Temporary signs (not to exceed 30 days of display in a calendar year) are permitted at the discretion of the developer, except signs advertising property for sale or lease are not subject to this restriction.

(e.) Free standing signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principle building. One free standing sign per driveway access per street frontage is permitted and shall be internally illuminated with an opaque field to control glare. Freestanding signs are sized proportional to the type of roadway to which they are adjacent. Allowable size restrictions are as follows:

1.) Arterial Roads: Maximum area: 150 square feet, Maximum Height: 25 feet

2.) Major Collector Roads: Maximum area: 100 square feet, Maximum Height: 20 feet

3.) Minor Collector and Local Roads: Maximum area: 36 square feet, Maximum Height: 8 feet

11. Parking Standards:

(a) Off-street parking is prohibited between buildings fronting a local street and/or access way.

12. Lighting Standards:

(a.) All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof mounted flood or spot lights used as general grounds lighting are

permitted. Security lighting is permitted.
 (b.) Lighting for off-street walkways shall be spaced no more than 30 feet apart, and shall not exceed ten feet in height.
 (c.) Parking lighting shall be spaced a maximum of 50 feet apart and shall not exceed 20 feet in height.
 (d.) Lighting levels at the property line (six feet above ground) adjacent to residential areas shall not exceed five footcandles.

13. Noncompliance:
 Existing noncompliance of the standards set forth in this section shall be subject to the provisions of Division 3 of the Land Development Code.

14. Variance Procedure: Conformance to these design criteria shall be verified by the county during the site and development plan review process required for individual development projects. Deviation from the following subsections of this section may be requested pursuant to division 3 of the Leon County Land Development Code: subsections 4, 6, 7, 8, 9, 11(a), and 12.

15. Incentives for Site Design Alternatives: An intensity bonus shall be provided to developments incorporating any of the following site design alternatives.
 1) An intensity bonus of 2,000 sq. ft. per acre (maximum) shall be allowed provided new development or redevelopment utilizes one or more of the following:
 a) For properties fronting an arterial or collector roadway, no less than 25% of the parking will be provided in a shared facility.
 b) Development site areas of 3 or more acres wherein at least 50% of the parking will be provided in a shared facility.
 c) Parking is provided within a range of 50% - 75% of the parking requirements in section 10-7.545.
 d) The development contains a minimum of 35% natural open space.

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2 GENERAL NOTES:

- 3 1. If central sanitary sewer is not available, nonresidential development is limited to a maximum
 4 of 2,500 square feet of building area. Community service facilities are limited to a maximum of
 5 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to sanitary sewer
 6 policy 2.1.12 of the Comprehensive Plan for additional requirements.
 7 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
 8 regulation of environmental features (preservation/conservation features), stormwater
 9 management requirements, etc.
 10 3. Refer to the concurrency management ordinance for information pertaining to the availability
 11 of capacity for certain public facilities (roads, parks, etc.).

12 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 09-13, § 4, 3-19-09; [Ord. No. 15-03](#), § 3, 2-10-15)

13
 14 **SECTION 16.** Section 10-6.676 of Article VI of Chapter 10 of the Code of Laws of Leon County,
 15 Florida, entitled "Bradfordville Office-Residential District" is hereby amended to read as follows:
 16

17 **Sec. 10-6.676. - BOR Bradfordville office residential district.**

	PERMITTED USES	
1. District Intent	2. Principal Uses	3. Accessory Uses
The BOR district is intended to be located in areas designated Bradfordville mixed use in the future land use map of the Comprehensive Plan and shall apply to lands within the Bradfordville commercial center district. The intent of the BOR district is to implement the Bradfordville Study Area goals. Objectives and Policies of the Comprehensive Plan preserving the residential character of the Bradfordville Study Area through a mixture of uses at a compatible scale with the adjacent residential communities. More	(1) Bed and breakfast inns up to a maximum of 6 rooms. (2) Broadcasting studios. (3) Community facilities related to office or residential facilities, including libraries, religious facilities, police/fire stations, and elementary, and middle schools, and high schools. Vocational schools are prohibited. Other community facilities may be allowed in accordance with section 10-6.806 of these regulations. (4) Day care centers. (5) Medical and dental offices	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the county administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the county administrator or designee.

<p>specifically, the BOR district is intended to be located in areas where employment and residential uses are encouraged to locate in close proximity to one another. The provisions of the BOR district are intended to provide the district with a residential character to further encourage this mixing of uses at a compatible scale. A variety of housing types, compatible non-retail activities of moderate intensity and certain community facilities related to office or residential facilities (recreational, community services, and light infrastructure) may be permitted in the BOR district. The maximum gross density allowed for new residential development in the BOR district is 8 dwelling units per acre. The access management standards set forth in for the BOR district are intended to minimize and control ingress and egress to collector and arterial roadways and to promote safe and efficient traffic circulation of the general traveling public. Increases in land zoned BOR shall demonstrate the need for additional services for the Bradfordville Study Area. Reuse of existing single use sites for multiple use developments, adding new uses to single use sites and/or multiple use developments that share parking facilities are encouraged in the BOR district. Expansions of the BOR district are prohibited in viable residential areas.</p>	<p>and services, laboratories, and clinics. (6) Mini-warehouses (see subsection 16). (7) Non-medical offices and services, including business and government offices and services. (8) Nursing homes and other residential care facilities. (9) Passive and active recreational facilities. (10) Personal services. (11) Single-family attached dwellings. (12) Single-family detached dwellings. (13) Studios for photography, music, art, dance, drama, and voice. (14) Two-family dwellings. (15) Veterinary services, including veterinary hospitals.</p>	
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-family detached dwellings	5,000 square feet	50 feet	100 feet	20 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided	20 feet	25 feet	not applicable	3 stories

					that no such schools shall be less than 5 feet				
Two-family dwellings	8,500 square feet	70 feet	100 feet	20 feet	same as single-family above	20 feet	25 feet	not applicable	3 stories
Single-family attached dwellings	3,750 square feet end unit; 2,400 square feet interior lot	37.5 feet end unit; 25 feet interior lot	80 feet	20 feet	none	20 feet	25 feet	maximum length: 8 units	3 stories
Any permitted principal nonresidential use	6,000 square feet	50 feet	100 feet	20 feet	same as single-family above	20 feet	10 feet	10,000 square feet of gross building floor area per acre (does not apply to a conversion of an existing structure)	3 stories

7. Access Management Criteria (in case of a conflict with the provisions of other ordinances or regulations, the most strict provisions shall apply):

(a.) Arterial and collector roads: Direct driveway access to arterial and collector roads is prohibited except for: 1) Existing driveway access as of July 28, 1998; 2) A single driveway access for properties in existence before July 28, 1998, which have sole access to the arterial road and does not have other street access; and 3) Temporary driveway access may be permitted for properties which establish permanent access to another public street and grant the local government with jurisdiction the right to close the temporary access without compensation upon opening of access to an alternative roadway.

(b.) All properties: All properties shall provide cross access easements benefiting adjoining properties to permit the development of an internal vehicular and pedestrian circulation system. All nonresidential properties shall provide driveway interconnections to adjoining nonresidential properties. All new developments proposing subdivision shall have shared access for every two parcels created.

(c.) Local streets: Full movement access to a local street shall not be permitted within 200 feet of a signalized intersection. Right-in/right-out access to a local street shall not be permitted closer than 100 feet to another access point or intersecting public street, nor within 200 feet of a signalized intersection, except properties with sole access to a local street are permitted at least one access point, which may be limited to right-in/right-out based upon a traffic safety evaluation.

8. Street vehicular access restrictions: Properties in the BOR zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from nonresidential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, R, and RP.

9. Landscape Standards: Development within the BOR shall be subject to the landscape requirements of this section in addition to those requirements of the Environmental Management Act (EMA). Where standards conflict, the stricter of the two shall apply. All landscape shall be prepared by a registered landscape architect as per F.S. ch. 481.

(a.) Arterial road landscaping: All properties fronting arterial roads shall provide and maintain a 30-foot-wide landscape area immediately adjoining the arterial road. All vegetation within the 30-foot-wide landscaped area of good condition four inches and larger shall be preserved. This landscape area shall be planted with canopy trees with at least one tree for each 200 square

feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to subsection 7. above, but compensatory area shall be added, equal to the area of the driveway, adjacent to the required landscape area. Sidewalks are not permitted within the landscape area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13. below may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in subsection 10-4.349(b) toward meeting the tree planting requirement. Management of the existing trees within the 30 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(b.) Collector and local road landscaping: All properties fronting collector and local roads shall provide and maintain a 20-foot-wide landscape area immediately adjoining the collector or local road. All vegetation within the 20-foot-wide landscaped area of good condition four inches and larger shall be preserved (This provision shall not apply where a primary entrance is oriented toward the street and there is no vehicular use area between the building and roadway). This landscape area shall be planted with canopy trees with at least one tree for each 200 square feet of landscape area. Creative design and spacing is encouraged. The landscape area may be crossed by driveways permitted pursuant to subsection 7. above, but compensatory area shall be added equal to the area of the driveway within the required landscape area. Sidewalks are not permitted within the landscaped area except for interconnections to sidewalks fronting public roadways. Signs in accordance with subsection 13. may be located within the landscape area, but shall not reduce the tree planting requirement. Existing healthy trees in the landscape area may be counted as prescribed in subsection 10-4.349(b) toward meeting the tree planting requirement. Management of the existing trees within the 20 feet shall include pruning of dead and hazardous tree limbs, pruning of live limbs less than 25 percent of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.

(c.) Street trees—All existing and proposed roadways/access ways shall be planted with canopy trees at a standard of one canopy tree per 200 sq. ft. of landscaped area. Credit shall be given for existing vegetation within the required landscaped areas as identified in a. and b. above. Creative design and spacing is encouraged.

(d.) Parking areas—All vehicular use areas shall be buffered from view from public streets and/or access ways through the use of vegetation and/or topography or other manmade structures so long as such structures are architecturally compatible with the principle structure. All manmade visual buffers greater than 20 feet in unbroken length shall be designed to provide interesting visual effects and reduce apparent mass through the use of vegetation and plane projections, material changes, changes in scale or other architectural features. Canopy tree cover for the parking area shall be provided so as to attain a minimum of 60 percent plan view shading within ten years of planting date. At grade parking areas shall include interior landscaped areas at a minimum ratio of 400 sq. ft. per 5,000 sq. ft. of vehicular use area located internally to the parking area. Where interior landscaped areas can not be obtained, the required landscaped area shall be placed between the proposed vehicular use area and the public right-of-way and/or access way. Existing vegetation shall be incorporated into the landscaped areas to the greatest extent possible. Planting areas shall have a minimum area of 400 sq. ft. with a minimum dimension of ten feet and shall have a depth of three feet of good planting soil.

(e.) Trees planted within a sidewalk area shall incorporate tree grates or other surfacing so as to not impale the flow of pedestrian traffic.

(f.) Buffer standards for uncomplimentary land uses shall meet the requirements of section 10-7.522 of the Land Development Code.

(g.) Developments within this district shall preserve a minimum of 25 percent of the total site as natural area. The required natural area may be located off-site if the required area is designated as public open space and is accepted by the public works department. On-site natural area shall encompass significant, naturally occurring vegetation areas or other significant environmental features.

(h.) Stormwater management facilities shall be landscaped in accordance with the Environmental Management Act, however, development is encouraged to provide innovative designs making such facilities an amenity to the site. All stormwater management facilities are encouraged to be constructed with 4:1 side slopes. Chain link and vinyl clad fencing enclosures are prohibited where stormwater management facilities are visible from public roadways/access ways. Where fencing and/or retaining walls are proposed and visible from a public roadway/access way, such fencing shall be architecturally compatible with the principle structure. Stormwater ponds shall be designed to imitate "natural" pond characteristics, including curved geometries, gently sloping edges, landscaping and paving materials, and should be placed so as to be focal design amenities.

10. Signs:

All signs within the BOR district shall be designed in accordance with the current locally adopted

building code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the BOR district shall conform to the following minimum guidelines:

(a.) One wall-mounted sign per tenant per street frontage is permitted. A wall mounted sign shall not exceed ten percent of the area of the tenant wall area on which it is mounted. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed. Only one wall sign for multiple tenant office land uses shall be allowed.

(b.) No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.

(c.) Freestanding signs shall be setback a minimum of ten feet from the right-of-way line.

(d.) Temporary signs (not to exceed 30 days of display in a calendar year) are permitted at the discretion of the developer, except signs advertising property for sale or lease are not subject to this restriction.

(e.) Freestanding signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principle building. One freestanding sign per driveway access per street frontage is permitted and shall be internally illuminated with an opaque field to control glare. Freestanding signs are sized proportional to the type of roadway to which they are adjacent. Allowable size restrictions are as follows:

1.) Arterial Roads: Maximum area: 150 square feet, Maximum Height: 25 feet

2.) Major Collector Roads: Maximum area: 100 square feet, Maximum Height: 20 feet

3.) Minor Collector and Local Roads: Maximum area: 36 square feet, Maximum Height: 8 feet

11. Off-Street Parking Requirements: Off-street parking facilities associated with permitted principal nonresidential uses in the OR-1 zoning districts must comply with the following requirements:

(a.) Parking Setbacks: Side-Corner: 20 feet Rear and Side-Interior: 10 feet

(b.) Driveway Setbacks: Side-Corner: 10 feet (none if driveway is shared) Rear and Side-Interior: 4 feet (none if driveway is shared)

(c.) Off-street parking may not be placed in a front yard between a building and the street.

(d.) The parking or driveway separation from the building is four feet

(e.) All off-street parking spaces behind a building shall be screened from the required front yard and side corner lot areas by evergreen landscaping at least four feet in height.

(f.) Parking spaces shall be screened from rear and interior side property lines by a combination of a six feet high opaque fence or wall and landscape plant material.

(g.) Driveways connecting to a public street shall be the narrowest possible width to ensure appropriate safety standards, as determined by the county administrator or designee.

12. Lighting Standards:

(a.) All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof-mounted flood or spot lights used as general grounds lighting are permitted. Security lighting is permitted.

(b.) Lighting for off-street walkways shall be spaced no more than 30 feet apart, and shall not exceed ten feet in height.

(c.) Parking lighting shall be spaced a maximum of 50 feet apart and shall not exceed 20 feet in height.

(d.) Lighting levels of the property line (six feet above ground) adjacent to residential areas shall not exceed five footcandles.

13. Noncompliance:

Existing noncompliance of the standards set forth in this section shall be subject to the provisions of Division 3 of the Land Development Code.

14. Variance Procedure:

Conformance to these design criteria shall be verified by the county during the site and development plan review process required for individual development projects. Deviation from the following subsections of this section may be requested pursuant to division 8 of the Leon County Land Development Code: subsections 4, 5, 6, 7, 8, 10(a), 10(C), and 11.

15. Design Standards Applicable to Mini-warehouse Land Uses:

(a.) Mini-warehouse developments shall be developed in accordance with standards as set forth in section 10-6.675 (BCS district).

(b.) A continuous 100 percent opaque buffer obtained through the use of vegetation and/or fencing shall be required around the perimeter of all areas used for mini-warehouse storage. This standard does not apply to the portion of the development utilized for a sales office.

1

2 GENERAL NOTES:

3 1. If central sanitary sewer is not available, nonresidential development is limited to a minimum
4 of 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet
5 of building area. Community service facilities are limited to a maximum of 5,000 square feet of

- 1 building area or a 500 gallon septic tank. Also, refer to sanitary sewer policy 2.1.12. of the
2 Comprehensive Plan for additional requirements.
3 2. Refer to the Environmental Management Act (EMA) for information pertaining to the
4 regulation of environmental features (preservation conservation features), stormwater
5 management requirements, etc.
6 3. Refer to the Concurrency Management Ordinance for information pertaining to the availability
7 of capacity for certain public facilities (roads, parks, etc.).

8 (Ord. No. 09-13, § 4, 3-19-09; [Ord. No. 15-03](#), § 5, 2-10-15)

9
10 **SECTION 17.** Section 10-6.806 of Article VI of Chapter 10 of the Code of Laws of Leon County,
11 Florida, entitled "Community Services and facilities/institutional uses" is hereby amended to
12 read as follows:
13

14 **Sec. 10-6.806. - Community services and facilities/institutional uses.**

15 (a) Purpose and intent. The intent of this section is to establish regulations, requirements, and
16 standards for land uses and activities conducted for the public welfare. The location of
17 community services and facilities/institutional uses shall be consistent with the
18 Comprehensive Plan.

19 This section is intended to address uses, facilities, and structures necessary for the health,
20 safety, and welfare of the general public, that are not typically provided for profit by private
21 individuals and establishments. This section establishes public notice requirements for the
22 establishment of any proposed community services and facilities/institutional uses as well as for
23 the expansion or redesign of any such existing uses or facilities, and provides for public
24 participation in this process. This section promulgates standards to ensure that the location of
25 community services and facilities/institutional uses is unlikely to be incompatible with
26 surrounding land uses and activities and to ensure that all such facilities or structures are
27 designed to minimize negative impacts upon the surrounding properties.

28 (b) Development standards. During the course of the required land development review, the
29 appropriate review authority shall authorize development standards appropriate for the
30 proposed institutional use. Such development standards shall address land use
31 compatibility, environmental constraints, and the availability of infrastructure.

32 (c) Minimum requirements for approval; new development. Any and all applications for new
33 community services and facilities/institutional uses must comply with the following
34 requirements:

35 (1) Consistency with Comprehensive Plan. The appropriate review authority shall find that
36 the proposed location is consistent with the Comprehensive Plan. New institutional
37 uses and facilities shall be located to serve areas of population experiencing an
38 existing deficiency of facilities and services or to serve areas where demand for
39 facilities and services is projected to occur as identified in the Comprehensive Plan.
40 Facilities and services shall not be established or expanded in any location which will
41 result in land development patterns inconsistent with the Comprehensive Plan nor shall
42 any such development be permitted that is likely to promote the premature
43 development of any area resulting in land use intensities inconsistent with the future
44 land use map. In the determination of proposed facility or structure location or the
45 acceptability of any such proposed expansion, the appropriate review authority may
46 balance the benefits of location in proximity to the service population with any
47 associated disadvantages.

48 a. The applicant must demonstrate that there presently exists, or is expected to exist
49 an unmet demand within the community for the public benefit intended to result
50 from the establishment and operation of that proposed or expanded community
51 service/or facility institutional use.

52 b. The applicant must demonstrate that the proposed use or facility will alleviate that
53 demand, either in full or in part.

54 c. The applicant must demonstrate that the proposed site for the use or facility is
55 suitably located to provide the public benefit to the intended generalized service
56 population area.

57 d. The applicant must demonstrate that the proposed use or facility and site are sized
58 according to the demand that the facility is proposed to satisfy.

59 e. The applicant must demonstrate and document that the anticipated benefit to be
60 provided to the community outweighs the potential harm to the public interest,
61 including harm to environmentally sensitive areas or private interests, likely to

- 1 result from the establishment and operation of the proposed community service or
2 facility/institutional use.
- 3 f. The applicant must demonstrate that the establishment and operation of the
4 propose use or facility will not prevent the normal and customary use of
5 residentially zoned properties and residential structures or otherwise adversely
6 affect residential neighborhoods to the extent that residential displacement is
7 likely, or indicate what provisions are proposed to mitigate any adverse effects and
8 displacement.
- 9 g. The applicant must demonstrate that the new facility will promote the efficient use
10 of existing or planned infrastructure and discourage uncontrolled urban sprawl.
- 11 (2) Environmental analysis required. An environmental analysis shall be completed and
12 submitted in conjunction with the application for rezoning review by the governing
13 body. The environmental analysis for community services of facilities/institutional uses
14 to be located in the unincorporated portion of the county shall be completed as per the
15 requirements of Article IV.
- 16 (d) Minimum requirements for approval; redevelopment/expansion. Any and all applications for
17 the redevelopment, modification, or expansion of existing community services and
18 facilities/institutional uses shall be subject to review and approval by the county
19 administrator or designee.
- 20 (e) Site plan approval required. Every new use or development of land to be utilized as a
21 community service or facility/institutional use shall require site plan approval before
22 development activities may be permitted.

23 In order to grant approval, the appropriate review authority shall find, as a minimum, that the site
24 plan is reasonably sufficient to accurately describe all proposed uses of the property, including,
25 but not limited to the following: The proposed location of all uses and structures, building heights
26 and other dimensions, setbacks and visual screens, accessways, vehicle parking and circulation
27 system, proposed stormwater drainage facilities, abutting properties and their zoning, and all
28 data necessary to the issuance of any permit or approval required by this article and all other
29 applicable land development regulations, other than the building codes.

30 The appropriate review authority may approve, deny, approve with conditions, or continue
31 discussion to a date-time certain, regarding the submitted site plan. Continued compliance with
32 any conditions or approval thereof shall be a condition of any other development permit or
33 approval for such use.

34 (f) Development review and approval.

35 (1) All proposed community service or facility/institutional uses shall be reviewed and
36 approved consistent with the provisions of section 10-7.402.

37 (2) Rights-of-way and easements dedicated for public benefit use shall be exempt from the
38 requirements of this article.

39 (g) Special requirements for community services and facilities/institutional uses that may cause
40 air pollution. Any new or expanded portion of a coal burning utility, asphalt plant, resource
41 recovery facility or other potential point source of air pollution required by law to obtain an
42 air pollution permit from the state department of environmental regulation or the United
43 States Environmental Protection Agency shall be required to utilize the best available
44 control technology and shall be subject to site plan review by the Board of County
45 Commissioners.

46 (h) Private and charter schools shall not be accessed from an arterial roadway unless designed
47 to provide full, safe access from both directions. Secondary schools shall not be accessed
48 from a residential local street unless designed as part of a master plan development or
49 Planned Unit Development. Proposed schools shall not require a new driveway access to a
50 designated Canopy Road, as defined in Sec. 10-1.101.

51 (Ord. No. 07-20, § 2, 7-10-07)

52
53 **SECTION 18.** Section 10-7.522 of Article VII of Chapter 10 of the Code of Laws of Leon
54 County, Florida, entitled "Buffer zone standards" is hereby amended to read as follows:
55

56 **Sec. 10-7.522. - Buffer zone standards.**

57 (a) Buffering standards. The following buffering standards are intended to implement the
58 provisions of the Land Development Code and applicable policies of the Comprehensive
59 Plan. Should there be a conflict between the provisions of this article and those of the

- 1 Comprehensive Plans and article IV, the most restrictive or that imposing the higher
2 standard shall govern.
- 3 (1) A buffer zone is a landscaped strip along parcel boundaries that serve a buffering and
4 screening function between uses and zoning districts, provides an attractive boundary
5 of the parcel or use, or as both a buffer and attractive boundary. This shall not be
6 interpreted to mean that parcels within a planned mixed use development must meet
7 these requirements.
- 8 (2) The width and degree of vegetation required depends on the nature of the adjoining
9 uses. The standards specified below prescribe the required width and landscaping of
10 all buffer zones.
- 11 (3) The standards for buffer zones are set out in the following illustrations that specify the
12 number of plants required per 100 linear feet. To determine the total number of plants
13 required, the length of each side of the property requiring a buffer shall be divided by
14 100 and multiplied by the number of plants shown in the illustration. The plants shall be
15 spread reasonably evenly along the length of the buffer.
- 16 (4) The buffering standards applicable to community services/institutional uses shall be
17 determined during the course of the required land development review process
18 pursuant to Section 10-6.806.
- 19

(5) The foregoing standards shall be applied between abutting parcels as follows:

BUFFERING AND SCREENING REQUIREMENTS																										
EXISTING DEVELOPMENT		PROPOSED DEVELOPMENT Land Use Code Number																								
L/U Code Number	Land Use Activity	NONURBAN			RESIDENTIAL					COMMERCIAL					OFFICE USES				INDUSTRIAL				COMMUNITY SERVICE FACILITIES AND INSTITUTIONAL USES			
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22			
NONURBAN LAND USES																										
1	Agriculture	NR	NR	NR	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	A	
2	Commercial forestry	NR	NR	NR	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	A		
3	Mining	NR	NR	NR	D	D	D	D	D	B	B	B	B	B	C	C	C	C	B	C	NA	B	D			
RESIDENTIAL LAND USES																										
4	Single-family detached	NR	NR	D	A ¹	A	B	B	C	B	C	C	D	B	A	B	A	B	C	D	D	D	D ²			
5	Two-family, attached; duplexes	NR	NR	D	A	NR	B	B	B	B	C	C	D	B	A	B	A	B	C	D	D	D	D ²			
6	Townhouse; single-family attached	NR	NR	D	B	B	NR	B	C	B	C	C	D	B	A	B	A	B	C	C	D	D	D ²			
7	Multifamily	NR	NR	D	B	B	B	NR	C	B	B	C	C	B	A	B	A	B	C	D	D	D	D ²			
8	Manufactured mobile home park	NR	NR	D	B	B	B	C	NR	B	B	C	C	B	A	B	A	B	C	D	D	D	D ²			

COMMERCIAL LAND USES																								
9	<20,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	A	NR	NR	B	B	C	B	B	
10	20,000—100,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	B	NR	NR	B	B	C	B	B		
11	100,000—200,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	B	NR	NR	B	B	C	B	B		
12	200,000—1,000,000 sf	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	C	NR	NR	B	B	C	B	B		
13	Retail w/ outside storage, not withstanding square feet	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	A	NR	C	C	A	B	
OFFICE AND PERSONAL SERVICES LAND USES																								
14	Minor offices	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	B	B	C	B	B	
15	Office park	NR	NR	B	B	B	B	B	B	A	B	B	C	B	NR	NR	NR	NR	B	B	C	B	B	
	Office buildings																							
16	Personal services	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	B	B	C	B	B	
17	Major	NR	NR	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	A	B	C	B	B	
HEAVY COMMERCIAL/INDUSTRIAL LAND USES																								
18	Warehousing/distribution	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	A	NR	A	C	A	B	
19	Light industrial	NR	NR	C	D	D	D	D	D	B	B	B	B	B	B	B	A	B	A	NR	C	A	B	
20	Heavy industrial/heavy infrastructure	NR	NR	NA	D	D	D	D	D	C	C	C	C	C	C	D	B	C	B	C	NR	B	B	

21	Transportation/ utilities	NR	NR	B	D	D	D	D	D	B	B	B	B	B	B	B	A	B	A	C	B	NR	B	
	COMMUNITY SERVICE FACILITIES AND INSTITUTIONAL USES																							
22	Elementary and/or secondary schools																						NR	

1 KEY:

2 A, B, C, and D indicate accompanying Landscape Standards that must be used.

3 NR indicates that no buffering is required.

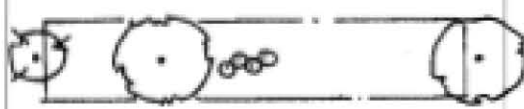
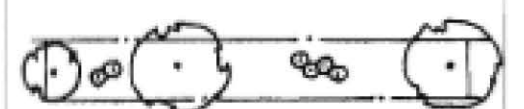

4 ¹ indicates that no buffering is required, except when the proposed development is adjoining a single-family detached dwelling unit located within the RP zoning district,
5 whereupon, the proposed development must provide buffering meeting no less than the Type A landscape standard.

6 ² indicates that a 10 foot Type “B” buffer with an 8 foot (height) opaque wooden fence may be utilized as an alternative for a required Type “D” buffer. Expansions to existing
7 schools that do not qualify for a major modification, pursuant to Section 10-7.411, shall not be subject to the buffer zone standards.

8 NOTES: To determine the required buffer:




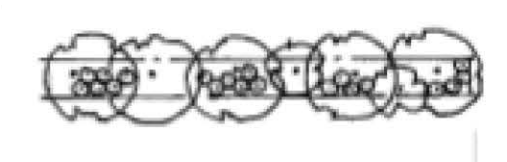
- 9 (1) Locate "Existing" adjacent use on left side of table;
- 10 (2) Locate "Land Use Code Number" of proposed use at top of table;
- 11 (3) Read down in row of Existing Adjacent Use in final buffer requirement.

TYPE "A" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
1.2 CANOPY 0.4 UNDERSTORY 4 SHRUBS	20'	
1.8 CANOPY 0.6 UNDERSTORY 6 SHRUBS	15'	
2.4 CANOPY 0.8 UNDERSTORY 8 SHRUBS	10'	





1

TYPE "B" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
3.5 CANOPY 1.4 UNDERSTORY 14 SHRUBS	25'	
4 CANOPY 1.6 UNDERSTORY 16 SHRUBS	20'	
4.5 CANOPY 1.8 UNDERSTORY 18 SHRUBS	15'	
5 CANOPY 2 UNDERSTORY 20 SHRUBS	10'	

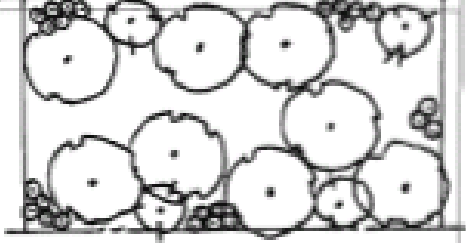
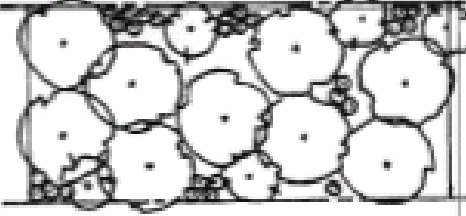
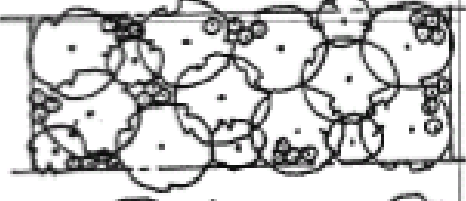
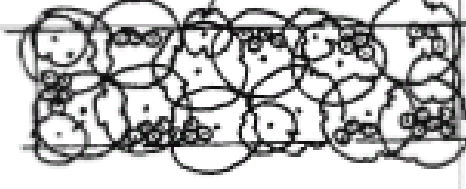
2

TYPE "C" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
4.8 CANOPY 2.4 UNDERSTORY 19 SHRUBS	35'	
5.4 CANOPY 2.7 UNDERSTORY 22 SHRUBS	30'	
6 CANOPY 3 UNDERSTORY 24 SHRUBS	25'	
6.6 CANOPY 3.3 UNDERSTORY 28 SHRUBS	20'	

1

TYPE "D" LANDSCAPE BUFFER

PLANT MATERIAL REQUIRED PER 100' OF LANDSCAPE BUFFER	MINIMUM BUFFER WIDTH	ILLUSTRATION
8 CANOPY 4 UNDERSTORY 24 SHRUBS	60'	
9 CANOPY 4.5 UNDERSTORY 27 SHRUBS	50'	
10 CANOPY 5 UNDERSTORY 30 SHRUBS	40'	
12 CANOPY 6 UNDERSTORY 36 SHRUBS	30'	

- 1
- 2 (6) Buffering for mixed use developments shall be based on the more intense use in the
- 3 building or cluster of buildings.
- 4 (7) The use of existing native vegetation in buffer zones is preferred. If a developer
- 5 proposes to landscape a buffer zone with existing native vegetation, the environmental
- 6 compliance staff may recommend, and the director may allow, a waiver from the strict
- 7 planting requirements of this section if:
- 8 1. The waiver is necessary to prevent harm to the existing native vegetation; and
- 9 2. The buffering and/or aesthetic purposes of the buffer zone are substantially fulfilled
- 10 despite the waiver.
- 11 (8) The desired width of a buffer zone between two parcels is the sum of the required
- 12 buffer zones of the parcels. Where a new use is proposed next to an existing use that
- 13 has less than the required buffer zone for that use, the lower standards will be tolerated
- 14 until the nonconforming parcel is redeveloped and brought into conformity with the
- 15 buffer zone requirements of this article. The developer of the new adjoining use is
- 16 encouraged, however, to take into account the inadequacy of the adjoining buffer zone
- 17 in designing the site layout of the new development.
- 18 (9) In any case where an unbuffered view exists within 500 feet from the side or rear
- 19 service areas of any nonresidential land use to any single-family or two-family
- 20 residential land use, uncomplimentary land use buffer requirements shall apply as if
- 21 such residential uses were located on immediately adjacent lands.
- 22 (10) A buffer fence as defined in section 10-1.101, which may include the use of berms for
- 23 visual screening, shall be required, in addition to minimum landscaping standards,
- 24 when nonresidential uses are adjacent to existing single-family or manufactured/mobile
- 25 home uses. When required, a buffer fence shall meet standards in subsection (b)
- 26 below. The buffer fence may be exempted for the following reasons:

- 1 a. If the uncomplimentary land use areas are occurring within an approved planned
2 unit development or site and development plan, provided that the objectives of this
3 division are met in the design of the planned unit development.
- 4 b. If a transitional character, sufficient to satisfy the purpose and intent of this
5 division, has been achieved through the design of the planned unit development or
6 site and development plan as determined by the director.
- 7 (11) Prevailing requirements. Whenever development activity is subject to both the
8 perimeter landscaping requirements and the uncomplimentary land use buffer strip
9 requirements of this subdivision, the latter requirement shall prevail.
- 10 (b) Buffer fence standards:
- 11 (1) Whenever a buffer fence is required, it shall be of sufficient height to obstruct the view
12 between adjoining properties, as determined by the director, presumably a minimum of
13 eight feet in height, unless the applicant can prove to the satisfaction of the director
14 that the intent of this article will be met by a fence of lesser height under the particular
15 circumstances. The buffer fence shall be solid opaque, constructed of durable
16 materials appropriate for the intended use and consistent with materials commonly
17 used in surrounding neighborhoods, and shall include provision for access to all
18 landscape materials.
- 19 (2) The side of a fence facing a less intensive use shall have a finished appearance to
20 furnish an aesthetically pleasing view.
- 21 (3) At least one-half of all required plant materials shall be installed and maintained on the
22 side facing the less intensive use, unless otherwise specifically provided.
- 23 (4) Fencing shall be maintained in good repair.
- 24 (5) In the case when a buffer fence and vegetative buffer is required, the required
25 vegetative buffer shall be reduced by one landscape standard.
- 26 (c) Use of buffer areas. No use shall be made of, nor development activity permitted in, the
27 uncomplimentary land use buffers. No accessory structures, garbage or trash collection
28 points or receptacles, parking or any other functional use contrary to the intent and purpose
29 of this article shall be permitted in a required buffer area except for:
- 30 (1) Planting material approved as part of the landscape plan.
- 31 (2) Installing and maintaining completely underground utilities and essential, specifically
32 approved, overhead or above ground utilities which do not interfere with the mature
33 growth of required plant material.
- 34 (3) Installing and maintaining grass ditches, with back slopes no steeper than 3:1, which
35 can support the required landscaping materials.
- 36 This does not prohibit the combining of compatible functions such as landscaping,
37 drainage facilities, passive recreation areas and preservation areas into an effective
38 and beneficial multiple use of the subject land resource.
- 39 (d) Development. All development must be consistent with article IV.
- 40 (Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 18, 1-29-08; Ord. No. 09-20, § 8, 7-14-09; Ord.
41 No. 13-06, § 13, 3-12-13)

42
43 **SECTION 19.** Conflicts. All ordinances or parts of ordinances in conflict with the provisions of
44 this Ordinance are hereby repealed to the extent of such conflict, as of the effective date of this
45 Ordinance, except to the extent of any conflicts with the Tallahassee-Leon County
46 Comprehensive Plan, as amended, which provisions shall prevail over any parts of this
47 Ordinance which are inconsistent, either in whole or in part, with the Comprehensive Plan.

48
49 **SECTION 20.** Severability. If any section, subsection, sentence, clause, phrase or portion of
50 this article is for any reason held invalid or unconstitutional by any court of competent
51 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and
52 such holding shall not affect the validity of the remaining portions of this Ordinance.

53
54 **SECTION 21.** Effective date. This ordinance shall be effective according to law.
55
56
57

1 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County,
2 Florida, this ____ day of _____, 2016.
3

4
5 LEON COUNTY, FLORIDA
6

7
8 BY: _____
9 BILL PROCTOR, CHAIRMAN
10 BOARD OF COUNTY COMMISSIONERS
11

12
13 ATTEST:
14 BOB INZER, CLERK OF THE COURT
15 AND COMPTROLLER
16 LEON COUNTY, FLORIDA
17

18
19 BY: _____
20

21 APPROVED AS TO FORM:
22 LEON COUNTY ATTORNEY'S OFFICE
23

24
25 BY: _____
26 HERBERT W.A. THIELE, ESQ.
27 COUNTY ATTORNEY
28
29

PUBLIC SCHOOL FACILITIES
GOALS, OBJECTIVES AND POLICIES

Goal 1: [PS] (EFF. 6/6/08)
PUBLIC SCHOOL CONCURRENCY

Recognizing the obligations of Article IX of the Florida Constitution, make available public school facilities consistent with the adopted level of service standard.

Objective 1.1: [PS] (EFF. 6/6/08)
LEVEL OF SERVICE

Ensure that school capacity is sufficient to support student growth at the adopted level of service standard in the five-year planning period, is financially feasible by the end of the five-year planning period, and is sufficient through the long term planning period.

Policy 1.1.1: [PS] (EFF. 6/6/08)
COORDINATING AND SHARING OF INFORMATION

The School Board shall annually submit the educational facilities report and plan to the City and the County. The plan will be consistent with the requirements of §1013.35, F.S. Within 45 days of the School Board’s annual workshop, the City and County shall review the plan and send any comments to the School Board, including any objections to adopting the plan into the annual capital improvements update of the comprehensive plan. The educational facilities report and plan will serve as a basis for adoption of annual five-year school capital improvement amendments adding a new fifth year, incorporate an updated financially feasible public schools capital facilities

program, and will be consistent with the five-year district facilities work plan.

Policy 1.1.2: [PS] (EFF. 6/6/08)
LEVEL OF SERVICE STRUCTURE

All new residential development shall be reviewed to ensure that adequate school capacity will exist within three years after the issuance of a final site and development plan approval for the residential development, in order to support the additional student growth at the adopted level of service.

Policy 1.1.3: [PS] (EFF. 6/6/08)
SCHOOL CONCURRENCY AREAS

The School Concurrency Service Areas shall be coterminous with the school attendance zones for each school, as adjusted by the School Board.

Policy 1.1.4: [PS] (EFF. 6/6/08)
ENSURING SCHOOL CAPACITY

School concurrency shall be applied on a less than district-wide basis through the attendance zones for each school. Development may proceed if the level of service standard is exceeded for a project, but capacity exists in one or more contiguous school attendance zones provided that transportation restrictions do not exist.

Policy 1.1.5: [PS] (EFF. 6/6/08)
ADJUSTING SCHOOL CONCURRENCY AREAS

The School Board will optimize use of student capacity at each school to the greatest extent practicable, based on the adopted level of service and the total number of permanent student stations available according to the FISH inventory, taking into account special considerations such as core capacity, special programs, transportation costs, geographic impediments, and class size reduction requirements to prevent disparate enrollment levels between schools of the same type (elementary, middle, high). The School Board may adjust the school attendance zones as needed to comply with state and federal mandates and other programs and to maximize capacity utilization. The adjustment of school concurrency service areas will follow the School Board's changes to school attendance zones and the process established in the Public School Concurrency and Facilities Planning Interlocal Agreement.

Policy 1.1.6: [PS] (EFF. 6/6/08)
LEVELS OF SERVICE

The level of service established for Elementary schools is 100% of Florida Inventory of School Houses (FISH) capacity.

The level of service established for Middle schools is 100% of Florida Inventory of School Houses (FISH) capacity.

The level of service established for High schools is 100% of Florida Inventory of School Houses (FISH) capacity.

Policy 1.1.7: [PS] (EFF. 6/6/08)
MAINTENANCE OF LEVEL OF SERVICE

The School Board will annually compare the number of projected students, calculated based on approved site and development plan applications submitted by the City and County, to available capacity within each school concurrency service area over the five-year period.

Policy 1.1.8: [PS] (EFF. 6/6/08)
CHANGES TO LEVEL OF SERVICE STANDARDS

Proposed changes to the level of service for each school type will be administered through the processes detailed in the Public School Concurrency and Facility Planning Interlocal Agreement.

Objective 1.2: [PS] (EFF. 6/6/08)
CAPITAL IMPROVEMENTS & CORRECTION OF DEFICIENCIES

To ensure that existing deficiencies and future needs are addressed, provide mitigation alternatives that are financially feasible by the end of the five-year planning period in order to achieve and maintain the adopted level of service standard, and include those projects in the five-year schedule of capital improvements.

Policy 1.2.1: [PS] (EFF. 6/6/08)
DISTRICT EDUCATIONAL FACILITIES REPORT AND PLAN

The School District's annual education facilities report and plan will contain the School Board's capital improvement plan, including a financially feasible plan for acquisition, expansion, and construction of facilities with funding for the five-year

planning period, and the educational facilities representing the district's unmet need. This plan will address identified needs and how level of service will be maintained.

Policy 1.2.2: [PS] (EFF. 6/6/08)
COLLOCATION

Collocation and shared use opportunities will be considered by the City and the County when preparing the annual update to the comprehensive plan's schedule of capital improvements and when planning and designing new, or renovating existing, community facilities.

Policy 1.2.3: [PS] (EFF. 6/6/08)
SCHOOL BOARD DIRECTION TO ENSURE SUFFICIENT CAPACITY

If adequate capacity is not available or planned to serve the proposed development at the time of review, the School Board shall specify how it proposes to meet the anticipated student enrollment demand; alternatively, the School Board, local government, and developer may collaborate to find means to ensure sufficient capacity will exist to accommodate the development, such as, developer contributions, project phasing, required facility improvements, etc.

Policy 1.2.4: [PS] (EFF. 6/6/08)
COORDINATION WITH COMMUNITY DEVELOPMENT PLANS

In formulating community development plans and programs, the City and the County will consider giving priority to capital improvements that are coordinated with, and meet the capital needs identified in, the School Board's school facilities plan.

Policy 1.2.5: [PS] (EFF. 6/6/08)
MITIGATION OPTION

If there is not adequate capacity within the schools impacted by a proposed residential site and development plan, the School Board shall consider proportionate fair-share mitigation options, and if acceptable, will enter into a binding agreement with the developer and the City or County, as applicable, to mitigate the impacts from the development through the creation of additional school capacity.

Policy 1.2.6: [PS] (EFF. 6/6/08)
BASIS OF MITIGATION

When the student impacts from a proposed residential development would cause the adopted level of service to fail, the developer's proportionate fair-share mitigation for the development will be based upon the number of additional student stations necessary to meet the established level of service. The amount to be paid by the developer will be calculated utilizing the cost per student station allocations for elementary, middle, and high school, as published by the Department of Education (DOE), and adjusted by the School Board to reflect local conditions, such as land and infrastructure costs.

Policy 1.2.7: [PS] (EFF. 6/6/08)
MITIGATION FORMULA

The following methodology shall be used to calculate the developer's proportionate fair-share mitigation amount:

Proportionate Share = (Development Students – Available Capacity) x Total Cost per Student Station

Where:

Development Students =
Students generated by the proposed development that are assigned to the particular school

Available Capacity =
FISH Capacity – (actual enrollment + vested)

Total Cost =
the cost per student station as determined and published by the DOE, adjusted by the School Board to account for land costs and infrastructure costs, as determined and published annually in the School District’s Five-Year Capital Facilities Plan

school facilities; contribution of District-owned portable school facilities meeting SREF standards (only in cases where capacity is available in the core facilities of the school); construction of a charter school meeting SREF standards if the mitigation agreement requires the ownership of the charter school to revert to the District upon closure of the facility; and developer-established mitigation banks, including both construction of schools and acquisition of land.

Policy 1.2.8: [PS] (EFF. 6/6/08)
MITIGATION AGREEMENT

The applicant will negotiate an acceptable mitigation option with the School Board prior to approval of the development order, and the mitigation option shall be clarified in a binding development agreement submitted to the County or City, as applicable, for approval.

Policy 1.2.9: [PS] (EFF. 6/6/08)
ACCEPTABLE FORMS OF MITIGATION

The following mitigation options will be acceptable to the City, County, and School Board, as negotiated by the School Board on a case-by-case basis: payment for land acquisition; contribution of land; construction of new, or expansion of existing, public

Goal 2: [PS] (EFF. 6/6/08)
SCHOOL FACILITY SITING

Maintain and enhance joint planning processes and procedures for coordination of public education facilities for planning and decision-making regarding public school siting and collocation with other public facilities, supporting the development of public education facilities concurrent with residential development and other services.

Objective 2.1: [PS] (EFF. 6/6/08)
SCHOOL FACILITY SITING PROCESS

To establish a process of coordination and collaboration between the County, local governments, and the School District in the planning and siting of public school facilities in coordination with planned infrastructure and public facilities.

Policy 2.1.1: [PS] (EFF. 6/6/08)
INITIATING SCHOOL SITING PROCESS

The School Board will submit potential sites for new schools and proposals for significant renovation, significant expansion, and closure of existing schools to the staff Work Group created by the Public School Concurrency and Facility Planning Interlocal Agreement.

Policy 2.1.2: [PS] (EFF. 6/6/08)
PARTICIPATION IN SCHOOL SITING

When the Superintendent/School Board identifies the need for a new school, or significant expansion of an existing school, requiring the purchase or lease of land, the school district staff

will provide to the staff Work Group information pertaining to the type of proposed school or facility, or expansion thereof, acreage required, geographic boundaries of the area of need, and a listing of activities to occur on the site.

Policy 2.1.3: [PS] (EFF. 6/6/08)
EVALUATION BY WORK GROUP

The staff Work Group, as established by the Public School Concurrency and Facility Planning Interlocal Agreement, will evaluate and make recommendations regarding the location and need for new, significant renovation or expansion, and closures of educational facilities, and the consistency of such plans with the Comprehensive Plan and the Public School Concurrency and Facility Planning Interlocal Agreement.

Policy 2.1.4: [PS] (EFF. 6/6/08)
CONSISTENCY REVIEW

At least sixty (60) days prior to acquiring or leasing property that may be used for a new public educational facility, or initiating the significant renovation or expansion of an existing school, the School Board shall provide written notice to the Planning Department. Upon receipt of the notice, the Planning Department shall notify the School Board within forty-five (45) days if the proposed new school site(s) or the proposed significant renovation or expansion of an existing school is consistent with the land use categories and policies of the Comprehensive Plan.

Policy 2.1.5: [PS] (EFF. 6/6/08)
SITE PLAN REVIEW

At least ninety (90) days prior to commencing construction, the School Board shall submit a site design/development plan to either the City or County Growth Management Department, as applicable. Within forty-five (45) days after receiving the submittal, the City or County Growth Management Department will certify, in writing, whether the proposal is consistent with any applicable provisions of the land development code.

Policy 2.1.6: [PS] (EFF. 6/6/08)
POTENTIAL CLOSURE DETERMINATION

Upon receipt of notice of a potential school closure, the Work Group, as established by the Public School Concurrency and Facility Planning Interlocal Agreement, will issue a report to the Coordinating Committee summarizing the School Board’s determination of the need for the closure and the impact on adjacent school concurrency service.

Objective 2.2: [PS] (EFF. 6/6/08)
COLLOCATION WITH OTHER PUBLIC FACILITIES

Coordinate location of public school facilities relative to the location of other public facilities.

Policy 2.2.1: [PS] (EFF. 6/6/08)
COLLOCATION AND SHARED USE

Collocation and shared use of facilities are important to the School Board, the City of Tallahassee, and Leon County. The School Board will look for opportunities to collocate and share

use of school facilities and civic facilities when preparing the Educational School Plant Survey. Opportunities for collocation and shared use will be considered for libraries, parks, recreation facilities, community centers, auditoriums, learning centers, museums, performing arts centers, and stadiums. Where applicable, collocation and shared use of school and governmental facilities for health care and social services will be considered.

Policy 2.2.2: [PS] (EFF. 6/6/08)
AGREEMENTS FOR COLLOCATION AND SHARED USE

A separate agreement will be developed for each instance of collocation and shared use that addresses legal liability, operating and maintenance costs, scheduling of use, and facility supervision.

Goal 3: [PS] (EFF. 6/6/08)
COORDINATION OF SCHOOL FACILITY DEVELOPMENT

Maintain and enhance joint planning processes and procedures for coordination of public education facilities for planning and decision-making regarding intergovernmental coordination and coordination of population projections, supporting the development of public education facilities concurrent with residential development and other services.

Objective 3.1: [PS] (EFF. 6/6/08)
INTERGOVERNMENTAL COORDINATION

To establish and maintain a cooperative relationship between the School District, City of Tallahassee, and Leon County in coordinating land use planning with development of public school facilities proximate to existing or proposed residential areas and are complementary with other public facilities.

Policy 3.1.1: [PS] (EFF. 6/6/08)
JOINT MEETINGS

The City Commission, the County Commission, and the School Board will meet at least once every year in a joint workshop session. The joint workshop session will provide the opportunity for the City, the County, and the School Board to set direction, discuss issues and reach understandings regarding issues of mutual concern such as coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities.

Policy 3.1.2: [PS] (EFF. 6/6/08)
COORDINATING COMMITTEE

The City, County, and School Board will appoint a Coordinating Committee, as established by the Public School Concurrency and Facility Planning Interlocal Agreement, for oversight of the school concurrency program and the joint planning efforts of the parties. The Coordinating Committee will meet twice per year, synchronizing with the amendment cycles to the Comprehensive Plan.

Policy 3.1.3: [PS] (EFF. 6/6/08)
WORK GROUP

The staff Work Group, as established by the Public School Concurrency and Facility Planning Interlocal Agreement, will formulate recommendations to the Coordinating Committee.

Policy 3.1.4: [PS] (EFF. 6/6/08)
WORK GROUP PURPOSE

The Work Group shall formulate recommendations to the Coordinating Committee regarding coordination of land use and school facility planning, including such issues as population and student enrollment projections, development and redevelopment trends and plans, transportation, school needs, collocation and joint use opportunities, and ancillary infrastructure improvements needed to support the school and ensure safe student access. The Work Group shall also make recommendations to the Coordinating Committee on amendments to the Comprehensive Plan.

Policy 3.1.5: [PS] (EFF. 6/6/08)
WORK GROUP MEETINGS

The Work Group will meet at least once per year regarding implementation of school concurrency, including adopted levels-of-service, school concurrency service areas, and preparation of the school district’s 5-year facilities work program and any suggested revisions to these components of school concurrency.

Policy 3.1.6: [PS] (EFF. 6/6/08)
EDUCATIONAL PLANT SURVEY

The Work Group will assist the School Board in an advisory capacity in the preparation of the update to its Educational Plant Survey. The survey shall be consistent with the requirements of §1013.31, F.S., and include an inventory of existing educational facilities, recommendations for new and existing facilities, and the general location of each in coordination with the land use plan.

Policy 3.1.7: [PS] (EFF. 6/6/08)
CONSISTENCY WITH COMPREHENSIVE PLAN

The Work Group will evaluate and make recommendations regarding the location and need for new, significant renovation or expansion, and closures of educational facilities, and the consistency of such plans with the Public School Concurrency and Facility Planning Interlocal Agreement and the Comprehensive Plan. The work group will also ensure compatibility of school sites and surrounding land uses.

Policy 3.1.8: [PS] (EFF. 6/6/08)
COORDINATION FOR EMERGENCY MANAGEMENT

A joint committee made up of School Board members and/or district staff with appropriate Tallahassee Police Department, Leon County Sheriff Department, Tallahassee Fire Department, Juvenile Justice, other law enforcement officials, and community representatives shall be established to review the issues of emergency preparedness and school safety. This committee will have authority to make specific recommendations to the School Board, City or County Commissions, or other governmental agencies to enhance emergency preparedness and safety in and around district school facilities.

Policy 3.1.9: [PS] (EFF. 6/6/08)
AVAILABILITY OF SCHOOL FACILITIES

School Board facilities shall be made available at no charge to the City and County, when scheduling and school utilization permit, for public meetings related to land use, transportation planning, community improvement, and other related topics. The City and County shall make available at no charge to the School Board, maps, GIS and other data related to school sites, attendance zones, and land use.

Policy 3.1.10: [PS] (EFF. 6/6/08)
JOINT DETERMINATION ON TIMING OF IMPROVEMENTS

In conjunction with the local government review of a proposed new school site or the significant renovation or expansion of an existing school, the School Board and the affected local government will jointly determine the need for timing of onsite and off-site improvements necessary to support each school or

renovation or expansion thereof, and will enter into a written Agreement as to the timing, location, and the party or parties responsible for constructing, operating, and maintaining the required improvements.

Policy 3.1.11: [PS] (EFF. 6/6/08)
SCHOOL BOARD PARTICIPATION IN SITE PLANNING

The Public School Concurrency and Facility Planning Interlocal Agreement requires the application of school concurrency at site plan and development approval, and therefore requires that the School Board participate in the review of all proposed site and development plans for new residential construction.

Policy 3.1.12: [PS] (EFF. 6/6/08)
SCHOOL IMPACT ANALYSIS PROCESS

The City and County will amend their land development regulations to require an applicant for a residential site and development plan to complete a School Impact Analysis Form for submittal with their application. The School Impact Analysis Form will require information concerning the location of the project; the number, type and size of dwelling units proposed; and the school concurrency service area in which the project is located.

Policy 3.1.13: [PS] (EFF. 6/6/08)
SCHOOL BOARD PARTICIPATION IN COMPREHENSIVE PLAN AMENDMENT

The Tallahassee/Leon County Planning Department (TLCPD) will amend its Comprehensive Plan application process to require an applicant for a residential Comprehensive Plan

Amendment to complete a School Impact Analysis Form for submittal with their application. The School Impact Analysis Form will require information concerning the location of the project; the total number dwelling units permitted in the Future Land Use Map category; and the school concurrency service area in which the project is located.

Policy 3.1.14: [PS] (EFF. 6/6/08)
REVIEW OF SCHOOL IMPACT ANALYSIS BY SCHOOL BOARD

The City or County will transmit the School Impact Analysis Form for a residential site and development plan to a designated employee of the School Board for review at the same time the application is submitted to all departments for review. The TLCPD will provide the School Impact Analysis Form to a Comprehensive Plan Amendment applicant for review by a designated employee of the School Board for a determination of Level of Service impact created by the proposed Comprehensive Plan Amendment.

Policy 3.1.15: [PS] (EFF. 6/6/08)
SCHOOL BOARD MEMBER ON DRC

The City will amend its Land Development Regulations to require a member appointed by the School Board serve on the Development Review Committee.

Objective 3.2: [PS] (EFF. 6/6/08)
POPULATION PROJECTIONS

To establish a joint process of coordination and collaboration between the School District, the City of Tallahassee, and Leon

County in the planning and decision-making on population projections.

Policy 3.2.1: [PS] (EFF. 6/6/08)
ENROLLMENT AND POPULATION PROJECTIONS

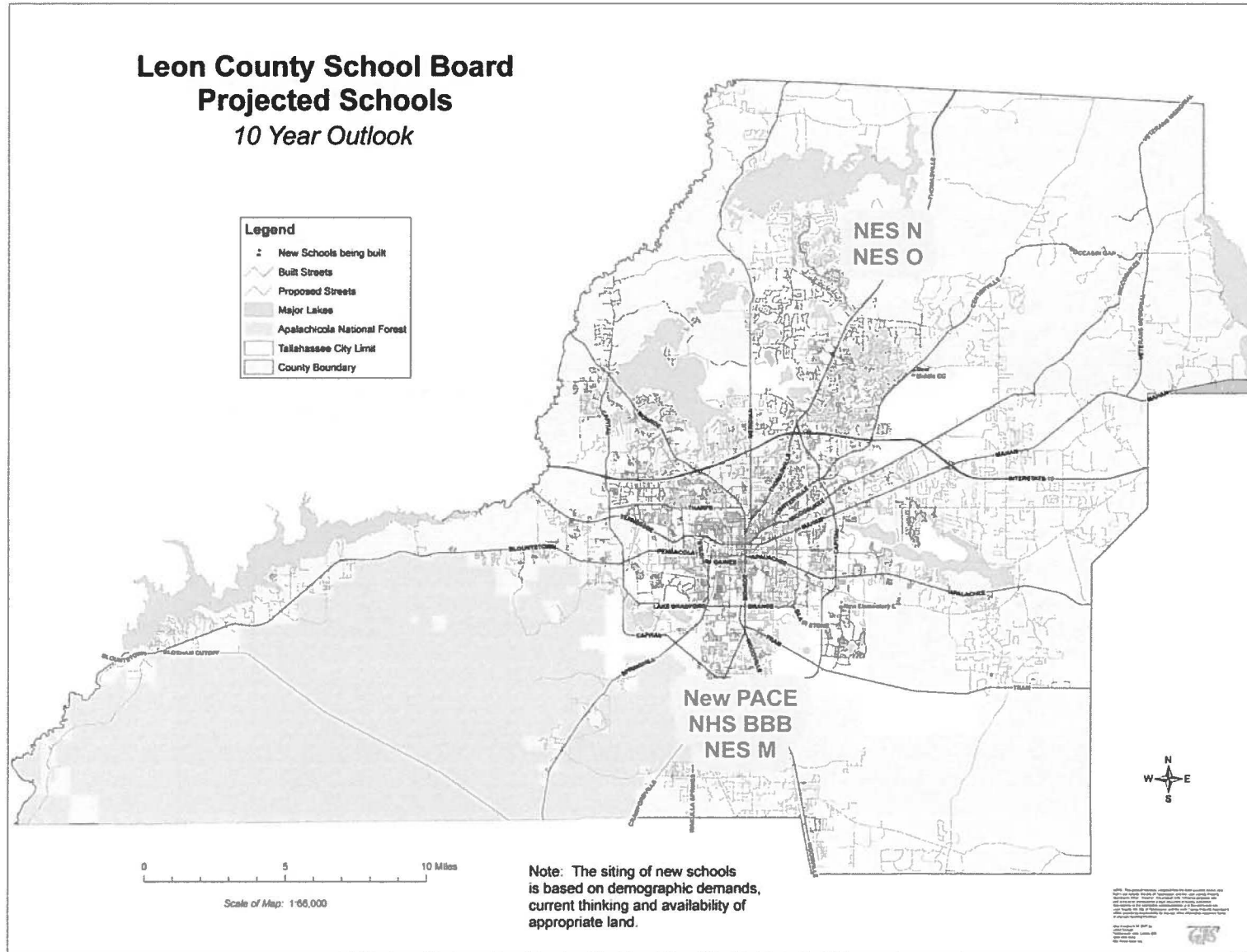
The City, the County, and the School Board agree to coordinate their plans upon the same projections of the amount, type, and distribution of population growth and student enrollment. The City, the County and the School Board agree to utilize the mid-range population projections published by the Bureau of Economic and Business Research (BEBR) at the University of Florida.

Policy 3.2.2: [PS]
RECONCILING PROJECTIONS

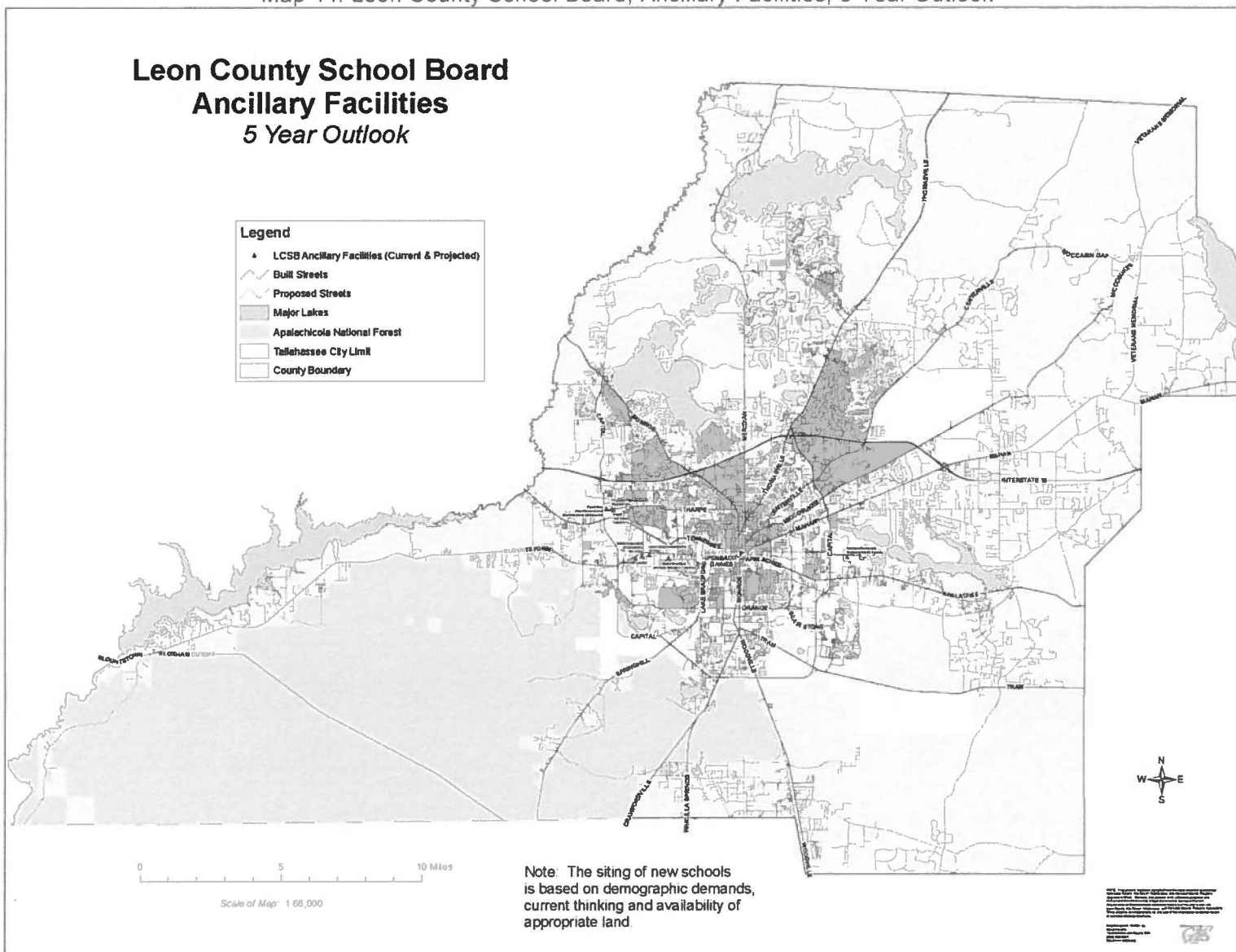
(EFF. 6/6/08)

The School Board shall also utilize the Department of Education (DOE) five-year countywide student enrollment projections. The School Board may request that the DOE projections be adjusted to reflect BEBR projections, and actual enrollment and development trends not anticipated by the DOE projections. In formulating such a request, the School Board will coordinate with the City and County regarding future population projections and growth.

Map 43: Leon County School Board, Projected Schools, 10 Year Outlook



Map 44: Leon County School Board, Ancillary Facilities, 5 Year Outlook



**INTERLOCAL AGREEMENT FOR TALLAHASSEE-LEON COUNTY AND LEON
COUNTY SCHOOLS PUBLIC SCHOOL CONCURRENCY AND FACILITY
PLANNING**

This Agreement is entered into between the City of Tallahassee, Florida (hereinafter referred to as “City”), Leon County, Florida (hereinafter referred to as “County”) and the School Board of Leon County (hereinafter referred to as “School Board”).

WHEREAS, the City, County and the School Board recognize their mutual obligation and responsibility for the education, nurture and general well-being of the children of Leon County; and

WHEREAS, the City, County and School Board recognize the benefits that will flow to the citizens and students of their community by more closely coordinating their comprehensive land use and school facilities planning programs: namely (1) better coordination of new schools in time and place with land development, (2) greater efficiency for the School Board and local governments by the placement of schools to take advantage of existing and planned roads, water, sewer, parks and drainage systems, (3) improved student access and safety by coordinating the construction of new and expanded schools with the road and sidewalk construction programs of the local governments, (4) the location and design of schools so that they serve as community focal points, (5) the location and design of schools with parks, ballfields, libraries, and other community facilities to take advantage of joint use opportunities, and (6) the location of new schools and expansion and rehabilitation of existing schools so as to reduce pressures contributing to urban sprawl and support existing neighborhoods; and

WHEREAS, Section 1013.33, Florida Statutes (F.S.), requires that the location of public educational facilities must be consistent with the comprehensive plan and implementing land development regulations of the appropriate governing body; and

WHEREAS, Sections 163.3177(6)(h)1 and 2, F. S., requires each local government to adopt an intergovernmental coordination element as part of their comprehensive plan that states principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of the school board, and describe the processes for collaborative planning and decision making on population projections and public school siting; and

WHEREAS, Section 163.3177(6)(h)4, F.S., requires each local government to execute an interlocal agreement with the district school board, the county, and non-exempt municipalities within the county to implement the requirements of Section 163.31777, F.S.; and

WHEREAS, Section 163.31777, F.S., requires the interlocal agreement to include consistent population projections, sharing of information on existing and planned educational facilities, participation of each party in the planning of facilities and selection of school sites, procedures for determination of need and timing of onsite and offsite improvements to support new schools, procedures for the school district to inform local governments of the impact of comprehensive plan amendments on school capacity, participation by the local governments in preparation of the school district's 5-year facilities work plan and educational plant survey, a dispute resolution procedure, and an oversight process which includes an opportunity for public participation; and

WHEREAS, Section 163.3180(13)(g), F.S., requires the interlocal agreement to establish (1) mechanisms for coordinating development, adoption, and amendment of the local government's public school facilities element and the plans of the school district to ensure uniform district-wide school concurrency; (2) procedures for the development of siting criteria which encourages location of public schools in proximity to urban residential development and seeks co-location of schools with other public facilities; (3) uniform, district-wide level-of-service standards for public schools of the same type and a process for modifying those levels-of-service; (4) procedures for preparation, amendment, and joint approval of a financially-feasible local government public school capital facilities program; (5) the geographic application of school concurrency, or "concurrency service areas"; (6) a uniform district-wide procedure for implementing school concurrency; and (7) a process and uniform methodology for determining proportionate-share mitigation by development applicants; and

WHEREAS, the City, the County and the School Board enter into this Agreement in fulfillment of the above-stated statutory requirements and in recognition of the benefits accruing to their citizens and students described above; and

WHEREAS, the City, the County and the School Board have mutually agreed that coordination of school facility planning and comprehensive land use planning is in the best interest of the citizens of Leon County; and

WHEREAS, the City has jurisdiction for land use and growth management decisions within its boundary and the County has similar jurisdiction for land use and growth management decisions within its unincorporated boundary, and

WHEREAS, the School Board has the responsibility to provide school facilities to insure a free and adequate public education to the residents of Leon County, and

WHEREAS, the City, the County and the School Board agree that they can better fulfill their respective responsibilities by working in close cooperation to insure that adequate public school facilities are available for the residents of Leon County, and

WHEREAS, the parties are required to enter into this Agreement pursuant to Section 163.3177(6)(h)4, F.S. and Section 1013.33, F.S.

NOW THEREFORE, be it mutually agreed between the Tallahassee City Commission, the Leon County Commission and the Leon County School Board that the following procedures will be utilized to implement school concurrency and better coordinate public school facilities planning and land use planning:

SECTION 1. JOINT MEETINGS.

1.1 School Planning and Concurrency Work Group. There is hereby created a work group consisting of staff from the Tallahassee-Leon County Planning Department (TLCPD), City and County Growth Management Departments, and School Board. The School Planning and Concurrency Work Group (the "Work Group") will meet at least once per year, to discuss and formulate recommendations to the Coordinating Committee created in Section 1.3 of this Agreement regarding implementation of school concurrency, including adopted levels-of-service, school concurrency service areas, and preparation of the school district's 5-year facilities work program and any suggested revisions to these components of school concurrency. The Work Group shall also discuss and formulate recommendations to the Coordinating Committee regarding coordination of land use and school facility planning, including such issues as population and student enrollment projections, development and redevelopment trends and plans, transportation, school needs, co-location and joint use opportunities, and ancillary infrastructure improvements needed to support the school and ensure safe student access. The Work Group shall also discuss and make recommendations to the Coordinating Committee on amendments to the Public School Facilities Element, Intergovernmental Coordination Element, and Capital Improvements Element of the Tallahassee-Leon County 2010 Comprehensive Plan, and successor documents. The TLCPD Director, or designee, will be responsible for making meeting arrangements and providing notification.

1.2 Workshops. The City Commission, the County Commission, and the School Board will meet at least once every year in a joint workshop session. The joint

workshop session will provide the opportunity for the City, the County, and the School Board to set direction, discuss issues and reach understandings regarding issues of mutual concern such as coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities. The TLCPD Director, or designee, will be responsible for making meeting arrangements and providing notification.

1.3 Coordinating Committee. The City, County, and School Board will appoint a Coordinating Committee for oversight of the School Concurrency Program established herein and the joint planning efforts of the parties. One member each from the City Commission, Board of County Commissioners, and the School Board will be appointed to serve on the Coordinating Committee. In addition, the City, County and School Board will each appoint one citizen member to serve on the Coordinating Committee.

- 1.3.1 The term for each member of the Coordinating Committee will be four (4) years, except for the first cycle, in which the City appointee's term will expire after two (2) years, and the County appointee's term will expire after three (3) years. If a Commissioner or Board member leaves their respective governing board, a replacement shall be designated to serve out the remainder of the term of the departing member.
- 1.3.2 The Coordinating Committee will meet twice per year, coordinating with the amendment cycles to the Tallahassee-Leon County 2010 Comprehensive Plan, or more often as needed, to address the following issues:
 - 1.3.2.1 Evaluation and any suggested changes to the process for sharing information on planned school facilities and the City and County participation in the School District's Five-Year Capital Facilities Plan;
 - 1.3.2.2 Changes to the Level of Service standards adopted for each school type in the School District;
 - 1.3.2.3 Changes to the School Concurrency Service areas, as recommended by the School Board;
 - 1.3.2.4 Monitoring of the school concurrency management system;
 - 1.3.2.5 Changes to this Interlocal Agreement;
 - 1.3.2.6 Amendments to the Capital Improvements Element, Public School Facilities Element, or Interlocal

Coordination Elements of the Tallahassee-Leon County
2010 Comprehensive Plan;

- 1.3.2.7 Effectiveness of School Concurrency Implementation;
and
- 1.3.2.8 Staffing and research needs.

1.3.3 The Coordinating Committee will issue a report with recommendations to the City Commission, County Commission and School Board within sixty (60) days of each meeting.

SECTION 2. STUDENT ENROLLMENT AND POPULATION PROJECTIONS.

2.1 In fulfillment of their respective planning duties, the City, the County, and the School Board agree to coordinate their plans upon the same projections of the amount, type, and distribution of population growth and student enrollment. The City, the County and the School Board agree to utilize the mid-range population projections published by the Bureau of Economic and Business Research (BEBR) at the University of Florida.

2.2 The School Board shall also utilize the Department of Education (DOE) five-year county-wide student enrollment projections. The School Board may request that the DOE projections be adjusted to reflect BEBR projections, and actual enrollment and development trends not anticipated by the DOE projections. In formulating such a request, the School Board will coordinate with the City and County regarding future population projections and growth.

2.3 The City, the County, and the School Board will use information on growth and development trends for municipal and unincorporated areas, such as census information on population and housing characteristics, persons-per-household figures, historic and projected growth rates, City and County planning initiatives, and the information described below in Section 8, to better coordinate their respective planning activities and decisions.

SECTION 3. COORDINATING AND SHARING OF INFORMATION.

3.1 District Educational Facilities Report and Plan. By May 15th of each year, the School Board shall submit to the City and the County, the educational facilities report and plan. The plan will be consistent with the requirements of Section 1013.35, F.S. The report will contain information detailing existing and projected school

enrollment, an inventory of existing educational facilities, their locations, information on the relocatables in use at each school, and projected space needs. The report will also contain the School Board's capital improvement plan, including a financially-feasible plan for acquisition, expansion and construction of facilities with funding over the next five (5) years, and the educational facilities representing the district's unmet need. The report will provide data for each individual school concerning school capacity based on adopted level of service standards and enrollment of each individual school based on actual counts. The report will show the generalized locations in which new schools will be needed and planned renovations, expansions and closures of existing schools. The report will indicate properties the School Board has already acquired through developer donation and proportionate fair-share payments; properties on which there is a developer obligation to provide land to the School Board as an acceptable mitigation alternative for school concurrency; and properties acquired through other means that are potential school sites. The City and County shall review the plan and send any comments to the School Board, within forty-five (45) days prior to the School Board's annual workshop, including whether the local government has any objections to adopting the plan into the annual update of the CIE of the comprehensive plan. If the local government's objections are not resolved, the matter shall be resolved pursuant to Section 10 of this Agreement.

3.2 Educational Plant Survey. The Work Group established in subsection 1.1 will assist the School Board in an advisory capacity in the preparation of the update. The Educational Plant Survey shall be consistent with the requirements of Section 1013.31, F.S., and include at least an inventory of existing educational facilities, recommendations for new and existing facilities, and the general location of each in coordination with the land use plan. The Work Group will evaluate and make recommendations regarding the location and need for new, significant renovation or expansion, and closures of educational facilities, and the consistency of such plans with the local government comprehensive plan and relevant issues listed in subsections 4.2, 8.6, 8.7 and 9.1 of this Agreement.

3.3 Student and Transportation Safety. Student and transportation safety shall be a major consideration at all School Board operated facilities and shall be an essential part of operation, renovation, expansion and future development. A joint committee made up of School Board members and/or district staff with appropriate Tallahassee Police Department, Leon County Sheriff Department, Tallahassee Fire Department, Juvenile Justice, other law enforcement officials, and community representatives shall be established to review the issue of school safety. This committee will have authority to make specific recommendations to the School Board, City or

County Commissions, or other governmental agencies to enhance safety in and around district school facilities.

3.4 City and County Public Meetings. School Board facilities shall be made available at no cost to the City and County, when scheduling and school utilization permit, for public meetings related to land use, transportation planning, community improvement and other related topics. The City and County shall make available at no cost to the School Board, maps, GIS and other data related to school sites, attendance zones, and land use.

SECTION 4. SCHOOL SITE SELECTION SIGNIFICANT RENOVATIONS, AND POTENTIAL SCHOOL CLOSURES.

4.1 The School Board will submit potential sites for new schools and proposals for significant renovation, significant expansion, and closure of existing schools to the Work Group established in Section 1.1, which will review the proposals and make suggested recommendations to the Superintendent and the School Board. For this purpose, the Work Group will meet on an as needed basis on the call of the School Board, in addition to the schedule set forth in Section 1.

4.2 Potential Closures. Upon receipt of notice of a potential school closure, the working group will issue a report to the Coordinating Committee summarizing the School Board's determination of the need for the closure, including whether the determination is based on rezonings or other land use activity, and the impact on adjacent school concurrency service areas and need for amendment to the Capital Improvements Element or Public School Facilities Element of the comprehensive plan. The Coordinating Committee shall meet and decide whether to schedule the closure issue for discussion by the City or County Commission.

4.3 Participation in New Sites, Significant Expansions and Renovations. When the Superintendent/School Board identifies the need for a new school, or significant expansion of an existing school, requiring the purchase or lease of land, the school district staff will provide to the Work Group information pertaining to the type of proposed school or facility, or expansion thereof, acreage required, geographic boundaries of the area of need, and a listing of activities to occur on the site. The Work Group will request from the TLC PD a list of potential sites in the area of need targeted in the Education Plant Survey. The Work Group will review the potential sites and may add to or reduce the list of potential sites. The Work Group will submit to the TLC PD a list of sites for an informal assessment regarding consistency with the comprehensive plan. This assessment or general overview shall address the following:

- (A) environmental features
- (B) transportation and pedestrian access
- (C) availability of infrastructure and services
- (D) safety concerns
- (E) land use compatibility
- (F) special planning areas, such as sector plans, the Southern Strategy Area, planned unit developments, etc.
- (G) community vision
- (H) other pertinent issues such as special programs or student assignment that have a bearing on site suitability

The TLCPD will prepare the assessment(s) from existing data. The Work Group will review the assessments and any other relevant information. The Work Group and the TLCPD will also consider the issues identified in Section 4.2 based on available information as each potential site and each proposed new site or significant expansion is evaluated. Based on the information gathered during this review, the Work Group will make a recommendation to the Superintendent and School Board, of one or more sites in order of preference.

The following issues will be considered by the Work Group, the TLCPD, the Superintendent and School Board when evaluating potential school sites or significant expansion or rebuilding of existing schools:

- (A) The locations of school sites that will provide logical focal points for community activities such as the community facilities itemized in section 9.1 below and serve as the cornerstone for innovative urban design standards, including opportunities for shared use and co-location of community facilities.
- (B) The location of new schools with dual access points to facilitate vehicular, bicycle, and pedestrian access, and within reasonable walking and/or bicycle distance of primary residential dwelling units served by the schools, as practicable under the student assignment program.
- (C) The location of new elementary and middle schools within the Urban Services Area or designated Rural Communities proximate to residential neighborhoods, and not located adjacent to limited access or major arterial roads, nor shall they have direct access from limited access, arterial or local roads.
- (D) The location of new high schools or adult-vocational schools on the periphery of urban residential neighborhoods, inside the Urban

Services Area and not located adjacent to limited access or major arterial roads, nor shall they have direct access from limited access, major arterial or local roads.

- (E) Compatibility of the school site with present and projected uses of adjacent property.
- (F) Encouraging community redevelopment and revitalization and efficient use of existing infrastructure and discouraging urban sprawl.
- (G) Site acquisition and development cost.
- (H) Safe access to and from the school site by pedestrians and vehicles, to include sidewalks, crosswalks, bike lanes, access road, traffic calming, signage, etc. where necessary.
- (I) Adequate public facilities and services to support the proposed school are available, or will be available, concurrent with the impact of schools.
- (J) Environmental constraints that would preclude development of a public school on the site or cannot be mitigated.
- (K) Adverse impact on archaeological or historic sites listed in the National Register of Historic Places or designated by the affected local government as a locally significant historic or archaeological resource.
- (L) The proposed site is well drained and soils are suitable for development or are adaptable for development and outdoor educational purposes with drainage improvements.
- (M) The proposed location is not in conflict with local government stormwater management plans or watershed management plans.
- (N) Whether the proposed location is within a flood zone, a floodway, special development zone, or Lake Protection future land use district as delineated in the comprehensive plan.
- (O) The proposed site can accommodate the required parking, circulation and queuing of vehicles onsite.
- (P) Whether the proposed location lies outside the area regulated by Section 333.03, F.S., regarding the construction of public educational facilities in the vicinity of an airport, or within the heavy industrial future land use category which does not allow schools.
- (Q) The proposed site can be co-located with other public facilities such as parks, recreational facilities, libraries, and community centers, as set forth in Section 9.0 of this Agreement.

City and County law enforcement and fire department officials shall review all proposed school facility sites and architectural plans for the expansion of current school facilities and the construction of new schools and provide recommendations for safety design or improvements.

4.4 Consistency Review and Site Plan Review. At least sixty (60) days prior to acquiring or leasing property that may be used for a new public educational facility, or initiating the significant renovation or expansion of an existing school, the School Board shall provide written notice to the TLCPD. The TLCPD, upon receipt of the notice, shall notify the School Board within forty-five (45) days if the proposed new school site(s) or the proposed significant renovation or expansion of an existing school is consistent with the land use categories and policies of the comprehensive plan. This preliminary notice does not constitute the local government's determination of consistency pursuant to section 1013.33, F.S.

At least ninety (90) days prior to commencing construction, the School Board shall submit a site design/development plan to the TLCPD and either the City or County Growth Management Department, as applicable. Within forty-five (45) days after receiving the submittal, the TLCPD shall certify, in writing, whether the proposed educational facility is in compliance with the Comprehensive Plan (as determined by The Planning Commission, if required), and the City or County Growth Management Department will certify, in writing, whether the proposal is consistent with any applicable provisions of the land development code. The site design/development plan shall be reviewed in accordance with the procedures prescribed in the applicable sections of the City or County Land Development Code (Type C development review in the City of Tallahassee, and Type A, B, or C, in Leon County, depending on the square footage and other factors).

4.5 In conjunction with the local government review of a proposed new school site or the significant renovation or expansion of an existing school, the School Board and affected local government will jointly determine the need for timing of on-site and off-site improvements necessary to support each school or renovation or expansion thereof, and will enter into a written Agreement as to the timing, location, and the party or parties responsible for constructing, operating, and maintaining the required improvements.

SECTION 5. SCHOOL CONCURRENCY PROGRAM.

5.1 School Concurrency Program Overview. The school concurrency program requires that Leon County, Tallahassee and the School Board maintain a minimum level of service standard for public schools. The school concurrency program requires that all new residential development be reviewed to ensure that adequate school capacity will exist within three (3) years after the issuance of a final site and development plan approval for the residential development, in order to support the additional student growth at the adopted level of service.

5.2 Commencement. The School Concurrency Program described in this Agreement shall commence on January 8, 2008, or the effective date of the amendments to the Tallahassee-Leon County 2010 Comprehensive Plan required by this Agreement, whichever is earlier.

5.3 School Concurrency Service Areas

5.3.1 The School Concurrency Service Areas shall be coterminus with the school attendance zones for each school, as adjusted by the School Board. The current school concurrency service areas are depicted on the map attached hereto as Exhibit A.

5.3.2 The County and City shall include the school concurrency service areas submitted by the School Board as data and analysis to support the adoption of the Public School Facilities Element of the Tallahassee-Leon County 2010 Comprehensive Plan, on or before January 8, 2008.

5.3.3 To ensure that development is coordinated with schools having available capacity, the County, City and School Board agree that school concurrency, when implemented in approximately January, 2008, shall be applied on a less than district-wide basis through the attendance zones for each school.

5.4 Modification of School Concurrency Service Areas

5.4.1 The City and County agree that the School Board may adjust the school attendance zones as needed to comply with state and federal mandates and other programs.

5.4.2 The modification of school concurrency service areas will follow the School Board's changes to school attendance zones. Such changes shall be noticed to the Coordinating Committee, as set

forth in Section 1.3 within fifteen (15) days of their effective date. The Coordinating Committee shall recommend incorporation into the Comprehensive Plan.

5.5 Levels of Service (LOS)

- 5.5.1 FISH (Florida Inventory of School Houses) is an annual report prepared by the Department of Education's Office of Education Facilities that provides information on the permanent building capacity of the schools in the state. To ensure that the capacity of each school is sufficient to support student growth at the adopted level of service for each year of the five year planning period and through the long term planning period for each school concurrency service area, the City, County, and School Board hereby establish the following Levels of Service for each school type:
 - 5.5.2 Elementary: one hundred percent (100%) of FISH capacity
 - 5.5.3 Middle: one hundred percent (100%) of FISH capacity
 - 5.5.4 High: one hundred percent (100%) of FISH capacity
- 5.5.5 The LOS for each school type will be adopted by the City and County into the Capital Improvements Element of the Tallahassee-Leon County Comprehensive Plan. The target date for adoption of these amendments is January 8, 2008.
- 5.5.6 In order to ensure achievement of the LOS for each school type, the School Board will annually compare the number of projected students, calculated based on approved site and development plan applications submitted by the City and County, to available capacity within each school concurrency service area over the five-year period, and report such findings to the Work Group and Coordinating Committee.
- 5.5.7 The City, County and School Board agree that amendments to the LOS for each school type will be considered through the Work Group set forth in Section 1.1 of this Agreement, which will make a recommendation to the Coordinating Committee, set forth in Section 1.3.

SECTION 6. IMPLEMENTATION OF SCHOOL CONCURRENCY.

6.1 This Agreement requires school concurrency to be applied at site plan and development approval, and therefore requires that the School Board participate in the review of all proposed site and development plans for new residential construction.

6.2 The City and County will amend their land development regulations to require an applicant for a residential site and development plan to complete a School Impact Analysis Form for submittal with their application.

6.3 The School Impact Analysis Form will require information concerning the location of the project; the number, type and size of dwelling units proposed; and the school concurrency service area in which the project is located.

6.4 The City or County will transmit the School Impact Analysis Form to a designated employee of the School Board for review at the same time the application is submitted to all departments for review.

6.5 After receipt of the School Impact Analysis Form, the designated School Board employee will issue a written report to the City or County outlining its findings on the following:

- 6.5.1 The number of students generated by the proposed development for the school concurrency service area(s) impacted;
- 6.5.2 Analysis of the available capacity within each school concurrency service area; and
- 6.5.3 Whether proportionate fair-share mitigation is required of the applicant, pursuant to Section 7.0.

The designated School Board employee must issue the report within the review timeframes established in the applicable City or County land development code for other reviewing agencies or departments.

6.6 The School Board will employ one full-time equivalent (FTE) staff member to review School Impact Analysis forms, analyze impacts and make the findings set forth in Section 6.5, and negotiate proportionate fair-share mitigation agreements on behalf of the School Board. Such employee may also be designated to participate on staff committees.

6.7 At the DRC meeting on the application, the City and County will consider the report from the School Board and incorporate into the development order the School Board's findings outlined in 6.5.1 through 6.5.3.

6.8 The City and County may issue development orders contingent upon compliance with conditions of a development agreement executed pursuant to Section 7.1.

6.9 The City will amend its Land Development Regulations to require a member appointed by the School Board serve on the Development Review Committee.

SECTION 7. PROPORTIONATE FAIR-SHARE MITIGATION.

7.1 In the event that there is not adequate capacity within the schools impacted by a proposed residential site and development plan, the School Board shall consider proportionate fair-share mitigation options, and if acceptable, will enter into a binding agreement with the developer and the City or County, as applicable, to mitigate the impacts from the development through the creation of additional school capacity. The development agreement must address payment and receipt of mitigation fees, or other acceptable forms of mitigation, if option 7.6.1 is exercised by the developer and acceptable to the School Board.

7.2 When the student impacts from a proposed residential development would cause the adopted LOS to fail, the developer's proportionate fair-share mitigation for the development will be based upon the number of additional student stations necessary to meet the established LOS. The amount to be paid by the developer will be calculated utilizing the cost per student station allocations for elementary, middle and high school, as published by the Department of Education (DOE), and adjusted by the School Board to reflect local conditions, such as land and infrastructure costs.

7.3 The following methodology shall be used to calculate the developer's proportionate fair-share mitigation amount:

Proportionate Share = (Development Students^a - Available Capacity^b) x Total Cost^c Per Student Station

Where:

^a Development Students = Students generated by the proposed development that are assigned to the particular school

^b Available Capacity = FISH Capacity – (actual enrollment + vested)

^c Total Cost = the cost per student station as determined and published by the DOE, adjusted by the School Board to account for land costs and infrastructure costs, as determined and published annually in the School District's Five-Year Capital Facilities Plan

7.4 The applicant will negotiate an acceptable mitigation option with the School Board prior to approval of the development order, and the mitigation option shall be reduced to writing in the form of a binding development agreement submitted to the County or City, as applicable, for approval.

7.5 The City Growth Management Director, or his or her designee, and the County Administrator, or his or her designee, shall have authority to accept and execute proportionate fair-share mitigation agreements on behalf of the City or County, as applicable. The City and County will amend their Code of Ordinances, if necessary, to grant said authority.

7.6 The following mitigation options will be acceptable to the City, County and School Board, as negotiated by the School Board on a case-by-case basis:

- 7.6.1 Payment for land acquisition
- 7.6.2 Contribution of land
- 7.6.3 Construction of new, or expansion of existing, public school facilities.
- 7.6.4 Contribution of District-owned portable school facilities meeting SREF standards, only in cases where capacity is available in the core facilities of the school.
- 7.6.5 Construction of a charter school meeting SREF standards if the mitigation agreement requires the ownership of the charter school to revert to the District upon closure of the facility.
- 7.6.6 Developer-established mitigation banks, including both construction of schools and acquisition of land

SECTION 8. LOCAL PLANNING AGENCY, COMPREHENSIVE PLAN AMENDMENTS, AND REZONINGS.

8.1. The School Board will be afforded full voting membership on the Capital Regional Transportation Planning Authority and Planning Commission, and the Planning Commission acting in its capacity as the local planning agency.

8.2. In accordance with the agenda distribution procedures for the Planning Commission and Capital Regional Transportation Planning Authority, the School Board will receive agendas and support materials from both City and County agencies regarding Comprehensive Planning, Transportation, Growth Management, etc., and will review and comment as appropriate.

8.3. In addition to the information required to be shared with the School Board pursuant to Section 8.2, the City and County will amend their land development regulations to require each applicant for comprehensive plan amendment or rezoning involving a residential development, or proposing a change of zoning or land use adjacent to a residential development, to provide the School Board a completed School

Impact Analysis Form, as set forth in Section 6 of this agreement. The form will require information concerning the location of the proposed comprehensive plan amendment or rezoning, the proposed change in land use or zoning classification, the maximum number of dwelling units authorized by the requested land use or zoning classification, and the school concurrency service area in which the property is located. After review of the School Impact Analysis Form, the designated School Board employee shall issue a written report to the City or County containing the following information:

- 8.3.1 The number of students generated based upon buildout at the maximum density of residential development allowed in the requested land use or zoning category for the school concurrency service area(s) impacted;
- 8.3.2 Analysis of the available capacity within each school concurrency service area impacted; and
- 8.3.3 Analysis of how the proposed land use or rezoning will affect transportation for school facilities or safety for students.

8.4. Based on the adopted Level of Service for the impacted school concurrency service areas, if adequate capacity is not available or planned to serve the proposed development at the time of review, the School Board shall specify how it proposes to meet the anticipated student enrollment demand; alternatively, the School Board, local government, and developer may collaborate to find means to ensure sufficient capacity will exist to accommodate the development, such as, developer contributions, project phasing, required facility improvements, etc.

8.5. The City and County will consider recommendations of the School Board or School Board staff on the following issues, prior to taking final actions on rezoning requests and comprehensive plan amendments:

- (A) Providing school sites and facilities within planned neighborhoods.
- (B) Insuring the compatibility of land uses and infrastructure adjacent to existing schools and reserved school sites.
- (C) The co-location of parks, recreation and community facilities with school sites.
- (D) The linkage of schools, parks, libraries and other public facilities with bikeways, trails and sidewalks.
- (E) Insuring the development of traffic circulation plans to serve schools and surrounding neighborhood(s).
- (F) Providing offsite signalization, signage, access improvements and sidewalks to serve all schools.

- (G) The inclusion of school bus stops and turnarounds in new developments.
- (H) School Board comments on comprehensive plan amendments and other land use decisions.
- (I) Available school capacity or planned improvements to increase school capacity.

8.6 In formulating community development plans and programs, the City and the County will consider the following issues:

- (A) Targeting community development improvements in older and distressed neighborhoods near schools.
- (B) Giving priority to scheduling City and County programs and capital improvements that are coordinated with, and meet the capital needs identified in, the School Board's school facilities plan.

SECTION 9. CO-LOCATION AND SHARED USE.

9.1 Co-location and shared use of facilities are important to both the School Board and local governments. The School Board will look for opportunities to collocate and share use of school facilities and civic facilities when preparing the Educational School Plant Survey. Likewise, co-location and shared use opportunities will be considered by local governments when preparing the annual update to their comprehensive plan's schedule of capital improvements and when planning and designing new, or renovating existing, community facilities. For example, opportunities for co-location and shared use will be considered for libraries, parks, recreation facilities, community centers, auditoriums, learning centers, museums, performing arts centers, and stadiums. In addition, where applicable, co-location and shared use of school and governmental facilities for health care and social services will be considered.

9.2 A separate agreement will be developed for each instance of co-location and shared use that addresses legal liability, operating and maintenance costs, scheduling of use, and facility supervision.

SECTION 10. RESOLUTION OF DISPUTES. If the parties to this Agreement are unable to resolve any issue in which they may be in disagreement covered in this Agreement, such dispute will be resolved in accordance with governmental conflict resolution procedures in Exhibit B, attached hereto and incorporated herein.

SECTION 11. AMENDMENT AND TERMINATION OF AGREEMENT. Any party may elect to withdraw from participation in this Agreement upon official action of its governing body and after thirty (30) days written notice to all other parties to this Agreement.

IN WITNESS WHEREOF, this Interlocal Agreement has been executed by and on behalf of the City of Tallahassee, Leon County, and the School Board of Leon County on this 1 day of Sept, 2006. This Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument and be the agreement between the parties.

LEON COUNTY, FLORIDA

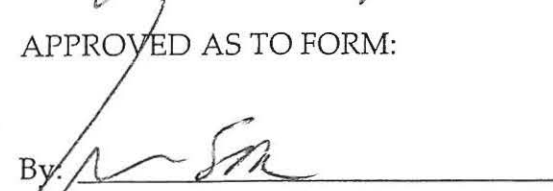

Bill Proctor, Chairman

ATTEST:
Robert B. Inzer, Clerk of the Court

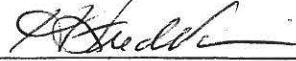


By: 

APPROVED AS TO FORM:

By: 
Herbert W. A. Thiele, Esq.
County Attorney

LEON COUNTY SCHOOL BOARD



H. Fred Varn, Chairman, School Board
of Leon County, Florida

ATTEST:

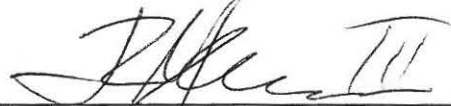
James M. Croteau, PhD, Superintendent

By: 

APPROVED AS TO FORM:


By: jwh 8.22.06
J. Jeffry Wahlen, School Board Attorney


CITY OF TALLAHASSEE

By: 
John R. Marks, III
Mayor

ATTEST:

APPROVED AS TO FORM

By: 
Gary Herndon
City Treasurer-Clerk

By: 
James R. English
City Attorney

APPROVED BY CITY COMMISSION
August 23 2006

**Interlocal Agreement For Tallahassee-Leon County And Leon County Schools
Public School Concurrency And Facility Planning**

EXHIBIT A

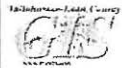
SCHOOL ATTENDANCE ZONES

Leon County Elementary School Zoning

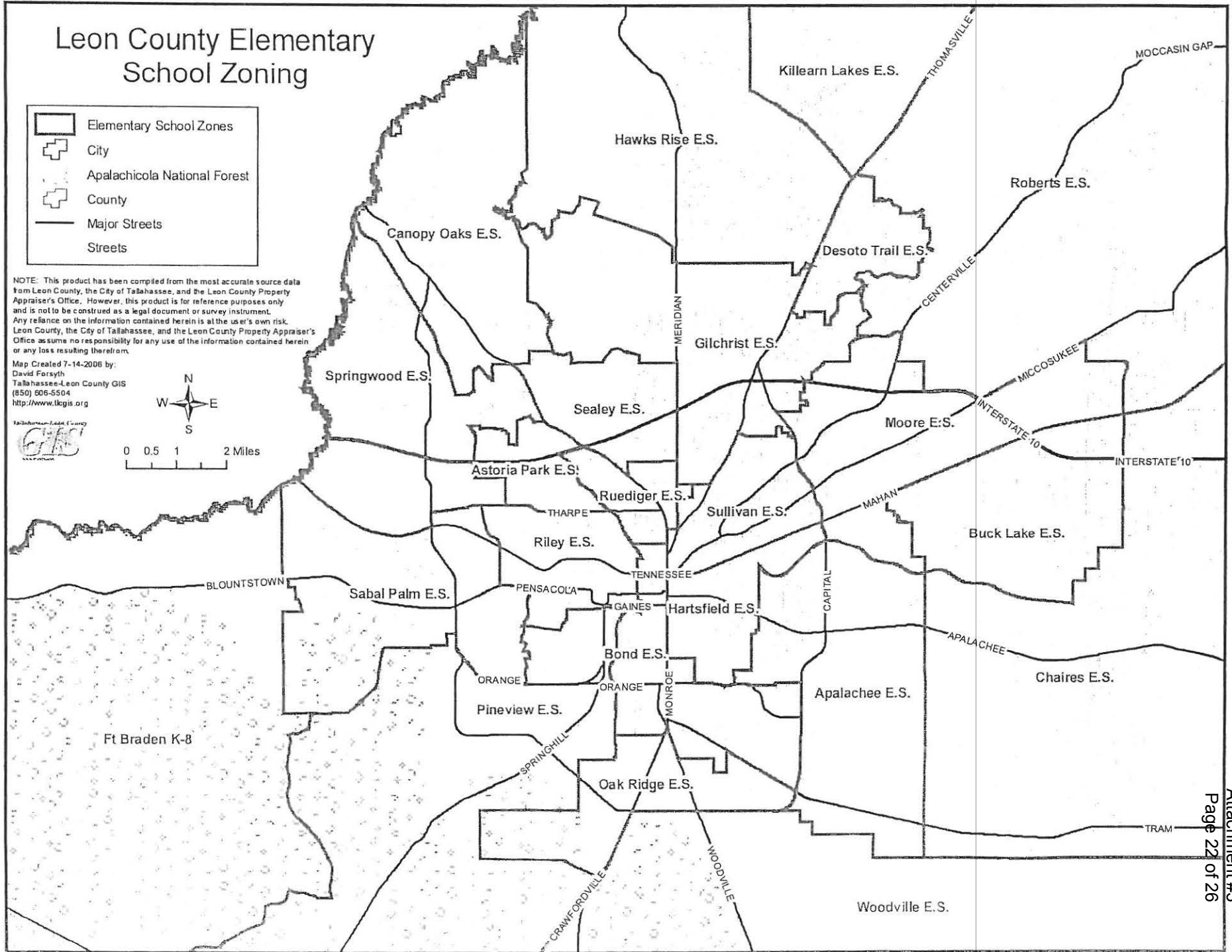
- Elementary School Zones
- City
- Apalachicola National Forest
- County
- Major Streets
- Streets

NOTE: This product has been compiled from the most accurate source data from Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

Map Created 7-14-2006 by:
David Forsyth
Tallahassee-Leon County GIS
(850) 508-5504
<http://www.lcgis.org>



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Leon County Middle School Zoning

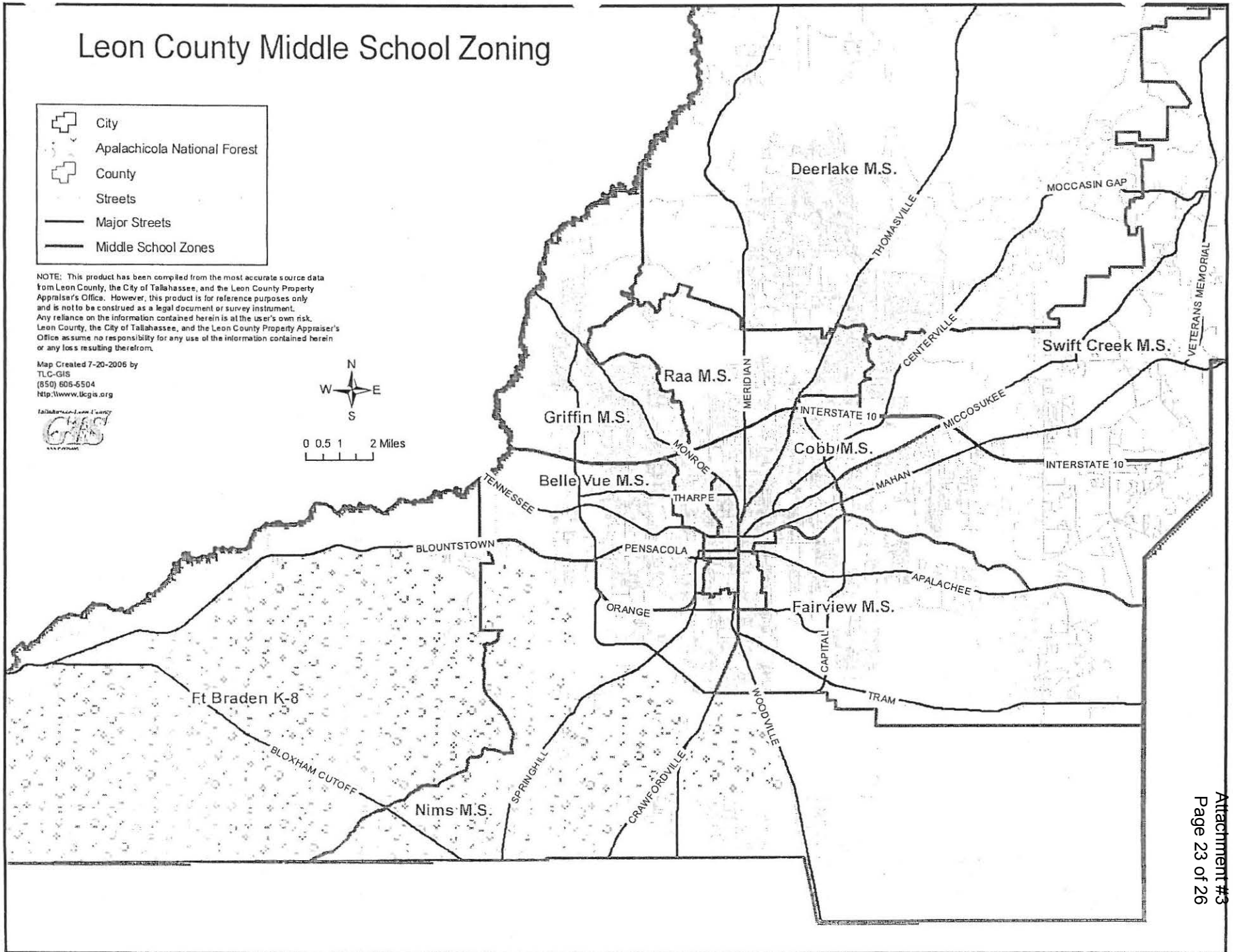
	City
	Apalachicola National Forest
	County
	Streets
	Major Streets
	Middle School Zones

NOTE: This product has been compiled from the most accurate source data from Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office assume no responsibility for any use of the information contained herein or any loss resulting therefrom.







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 TLC-GIS
 (850) 606-6504
<http://www.tlcgis.org>



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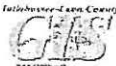


Leon County High School Zoning

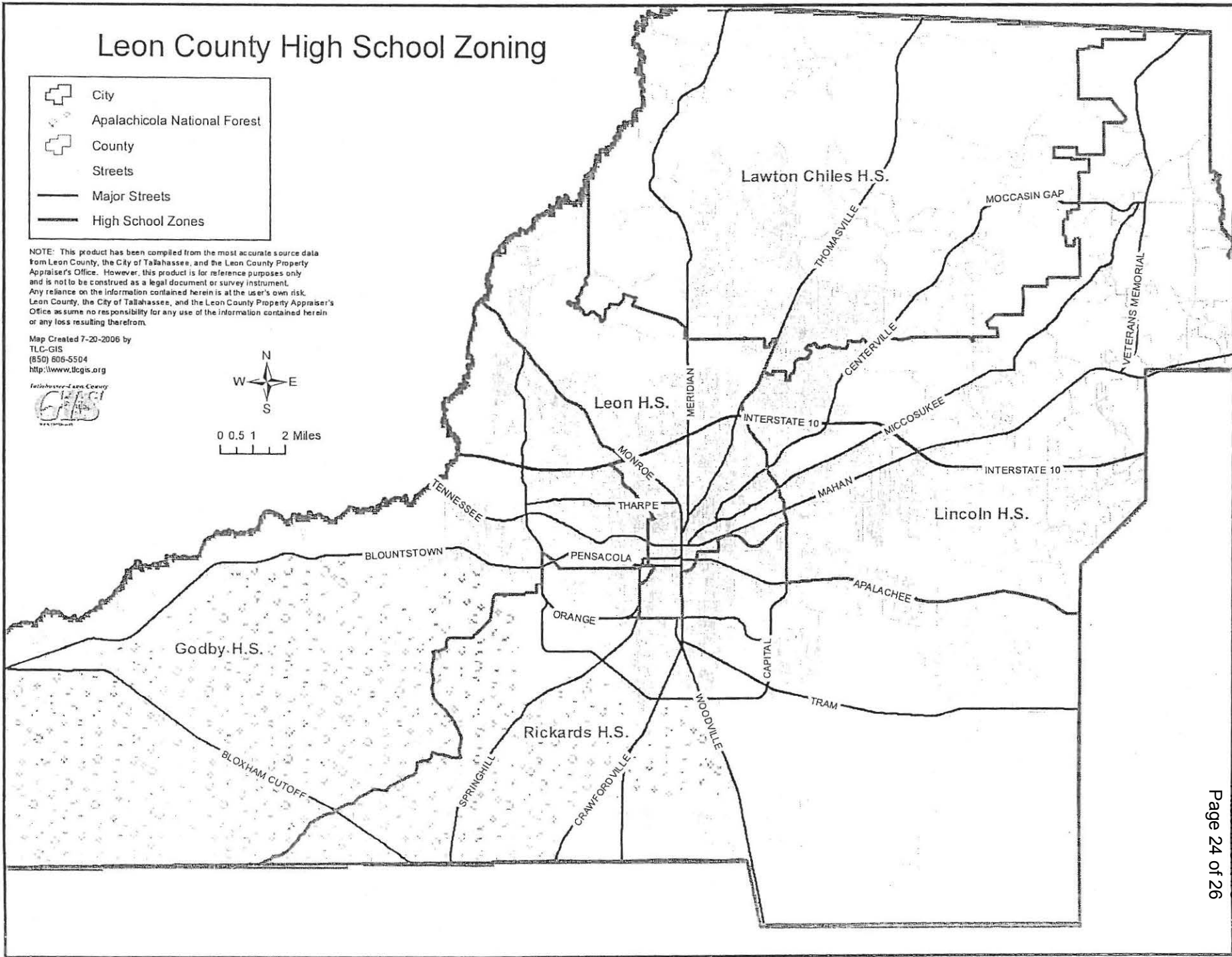
-  City
-  Apalachicola National Forest
-  County
-  Streets
-  Major Streets
-  High School Zones

NOTE: This product has been compiled from the most accurate source data from Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

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**Interlocal Agreement For Tallahassee-Leon County And Leon County Schools
Public School Concurrency And Facility Planning**

EXHIBIT B

DISPUTE RESOLUTION PROCEDURE

Section 11. Dispute Resolution.

a. The Parties shall attempt to resolve any disputes that arise under this Agreement in good faith and in accordance with this Section. The provisions of the "Florida Governmental Conflict Resolution Act" shall not apply to disputes under this Agreement, as an alternative dispute resolution process, is hereby encompassed within Section 11. The aggrieved Party shall give written notice to the other Party, setting forth the nature of the dispute, date of occurrence (if known), and proposed resolution, hereinafter referred to as the "Dispute Notice".

b. The appropriate City and County department heads shall meet at the earliest opportunity, but in any event within 10 days from the date the Dispute Notice is received, to discuss and resolve the dispute. If the dispute is resolved to the mutual satisfaction of both, the department heads shall report their decision, in writing, to the City Manager and the County Administrator.

c. If the department heads are unable to reconcile the dispute, they shall report their impasse to the City Manager and the County Administrator who shall then communicate at their earliest opportunity regarding the dispute, but in any event within 20 days following receipt of the Dispute Notice, to attempt to reconcile the dispute.

d. If a dispute is not resolved by the foregoing steps within thirty (30) days after receipt of the Dispute Notice, unless such time is extended by mutual agreement of the Parties, then either Party may require the dispute to be submitted to mediation by delivering written notice thereof (the "Mediation Notice") to the other Party. The mediator shall meet the qualifications set forth in Rule 10.100(c), Florida Rules for Mediators, and shall be selected by the Parties within 10 days following receipt of the Mediation Notice. If agreement on a mediator cannot be reached in that 10-day period, then either Party can request that a mediator be selected by an independent conflict resolution organization, and such selection shall be binding on the Parties. The costs of the mediator shall be borne equally by the Parties.

e. If an amicable resolution of a dispute has not been reached within 60 calendar days following selection of the mediator, or by such later date as may be mutually agreed upon by the Parties, then such dispute may be referred to binding arbitration by either Party. Such arbitration shall be conducted in accordance with the Florida Arbitration Code (Chapter 682, Florida Statutes).

f. Such arbitration shall be initiated by delivery, from one Party (the "Claimant") to the other (the "Respondent"), of a written demand therefor containing a statement of the nature of the dispute and the amount, if any, involved. The Respondent, within ten (10) days following its receipt of such demand, shall deliver an answering statement to the Claimant. After the delivery of such statements, either Party may make new or different claims by providing the other with written notice thereof specifying the nature of such claims and the amount, if any, involved.

g. Within ten (10) days following the delivery of such demand, each Party shall select an arbitrator and shall deliver written notice of that selection to the other. If either Party fails to select an arbitrator within such time, the other Party may make application to the court for such appointment in accordance with the Florida Arbitration Code. Within ten (10) days following delivery of the last of such written notices, the two arbitrators so selected shall confer and shall select a third arbitrator. Each of the arbitrators so appointed shall have experience in local government and/or utility issues.

The arbitration hearing shall be commenced in Leon County, Florida within sixty (60) days following selection of the third arbitrator. Except as may be specifically provided herein, the arbitration shall be conducted in accordance with Rules R-23 – R-48, of the Commercial Arbitration Rules of the American Arbitration Association.

Zoning District Chart of Allowable Schools

Zoning District	Elementary	Middle	High School
Rural	Y	Y	Y
Urban Fringe	Y	Y	Y
Urban Activity Center	Y	Y	Y
Rural Community	Y	Y	Y
Lake Protection	Y	Y	N
Lake Protection Node	Y	Y	Y
Residential Preservation	Y	Y	Y
Lake Talquin/Urban Fringe	Y	Y	Y
Industrial	N	N	N
Residential Acre	Y	Y	N
R-1	Y	Y	N *
R-2	Y	Y	N
R-3	Y	Y	N
R-4	Y	Y	N
R-5	Y	Y	N
MH	N	N	N
MR-1	Y	Y	Y
OR-1	Y	Y	N
OR-2	Y	Y	N
OR-3	N	Y	Y
OA-1	N	N	N
C-1	N	N	N

C-2	N	N	Y
CP	N	N	N
UP-1	N	Y	N
UP-2	N	Y	N
M-1	N	N	N
IC	N	N	N
MCN	Y	Y	N
MCR	Y**	Y**	N
NBO	N	N	N
BC-1	N	N	N
BC-2	N	Y	N
BCS	N	N	N
BOR	Y	Y	N
WC	N	N	N

* Expansion of existing high schools is allowed

** Conditional Use



MEMORANDUM



"People Focused. Performance Driven"

TO: Ryan Culpepper, Administrator
Leon County Development Services and Environmental Management

FROM: Susan Denny, Senior Planner, Land Use Planning
Tallahassee-Leon County Planning Department

THRU: Russell Snyder, Administrator, Land Use Planning
Tallahassee-Leon County Planning Department

DATE: February 11, 2016

SUBJECT: School Siting Ordinance

Description of the Proposed Change:

The intent of the proposed school siting ordinance is to ensure that all elementary and secondary schools, including private and charter schools, are appropriately located in Leon County. Specifically, the proposed ordinance would modify the allowed uses of certain zoning districts to eliminate elementary and secondary (middle and high) schools where they are not compatible and allow them where they are appropriate. It would also modify buffer and access standards for elementary and secondary schools.

Analysis of Consistency with the Tallahassee-Leon County Comprehensive Plan

The proposed ordinance is consistent with and advances the aspirations of the Tallahassee-Leon County Comprehensive Plan in a number of ways:

- Land Use Policy 1.11 requires that urban development be directed into the USA. Private and charter schools, by their nature, serve a countywide population and are therefore urban development. The proposed ordinance will prohibit new private or charter schools outside of the USA, except in rural communities where development is directed [Land Use Policy 2.2.11].
- Land Use Policy 1.4.20 prohibits access from local roads for schools that are located within religious facilities. The proposed ordinance prohibits access from local streets for all new charter and private schools, including those within religious facilities.
- Land Use Policy 2.1.1(f) requires visual and sound buffering between community facilities that impact low-density residential areas. The proposed ordinance would require buffering between new schools and all other uses, including low-density residential areas.

- Land Use Policy 2.2.3 (e) requires land use compatibility with residential preservation areas. The policy specifically sites scale, operating hours, noise, traffic and lighting. Given the scale of public and charter schools, the potential adverse impacts to residential neighborhoods would make them potentially incompatible with residential preservation neighborhoods. The proposed ordinance prohibits schools in residential preservation zoning districts.
- Mobility Element Objective 1.1 directs the County to pursue policies that result in a vibrant community with a compact urban form and a mixture of uses to enhance pedestrian and bicycle mobility and transit accessibility. By expanding the school uses in office residential zoning districts, the proposed ordinance will provide a greater range of uses and promote denser development and utilization of non-motorized transportation alternatives.
- Mobility Element Policy 1.4.8 requires Leon County to require development that protects the maximum service volume, safety, and operating characteristics of transportation facilities. The proposed ordinance requires full median access on arterial roadways to private and charter schools to maintain service volumes, operational characteristics and safety.

Finding of Consistency with the Tallahassee-Leon County Comprehensive Plan

Based on the findings above, the Planning Department finds the proposed School Siting Ordinance consistent with the Comprehensive Plan.

NOTICE OF ESTABLISHMENT OR CHANGE OF A LAND USE REGULATION

Notice is hereby given that the Board of County Commissioners of Leon County, Florida (the "County") will conduct a public hearing on Tuesday, May 10, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider adoption of an ordinance entitled to wit:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING SECTION 10-1.101, DEFINITIONS; AMENDING SECTION 10-6.613, URBAN FRINGE ZONING DISTRICT; AMENDING SECTION 10-6.615, RURAL COMMUNITY ZONING DISTRICT; AMENDING SECTION 10-6.617, RESIDENTIAL PRESERVATION; AMENDING SECTION 10-6.618, LAKE TALQUIN RECREATIONAL/URBAN FRINGE; AMENDING SECTION 10-6.634; RESIDENTIAL ACRE; AMENDING SECTION 10-6.642, OFFICE RESIDENTIAL DISTRICT; AMENDING SECTION 10-6.643, OFFICE RESIDENTIAL DISTRICT; AMENDING SECTION 10-6.644, OFFICE RESIDENTIAL DISTRICT; AMENDING SECTION 10-6.647, NEIGHBORHOOD COMMERCIAL DISTRICT; AMENDING SECTION 10-6.650, URBAN PEDESTRIAN DISTRICT; AMENDING SECTION 10-6.651, URBAN PEDESTRIAN DISTRICT; AMENDING SECTION 10-6.654.1, MAHAN CORRIDOR NODE DISTRICT; AMENDING SECTION 10-6.655, NEIGHBORHOOD BOUNDARY OFFICE; AMENDING SECTION 10-6.674, BRADFORDVILLE COMMERCIAL PEDESTRIAN-ORIENTED DISTRICT; AMENDING SECTION 10-6.676, BRADFORDVILLE OFFICE RESIDENTIAL DISTRICT; AMENDING SECTION 10-6.806, COMMUNITY SERVICES AND FACILITIES/INSTITUTIONAL USES; AMENDING SECTION 10-7.522, BUFFER ZONE STANDARDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

All interested parties are invited to present their comments at the public hearing at the time and place set out above.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Copies of the ordinance may be inspected at the following locations during regular business hours:

Leon County Courthouse
301 S. Monroe St., 5th Floor Reception Desk
Tallahassee, FL 32301

and

Leon County Clerk's Office
315 S. Calhoun Street, Room 750
Tallahassee, Florida 32301

Advertise: May 3, 2016

**Leon County
Board of County Commissioners**


Notes for Agenda Item #16

Leon County Board of County Commissioners

Cover Sheet for Agenda #16

May 10, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: First and Only Public Hearing to Consider a Proposed Ordinance Amending Section 13-58 of the Leon County Code of Laws

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Cristina Paredes, Director, Economic Vitality
Lead Staff/ Project Team:	Lee Daniel, Director, Tourism Development Brian Hickey, Sr. Sports Manager, Tourism Development Amanda Heidecker, Sports Manager, Tourism Development

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Conduct the first and only Public Hearing and adopt the proposed Ordinance amending Section 13-58 of the Leon County Code of Laws (Attachment #1).

Report and Discussion

Background:

At the Board's March 8, 2016 meeting, the Board approved scheduling a public hearing on a proposed ordinance amending Section 13-58 of the Leon County Code of Laws, which modifies the County Ordinance for a consistent application across County facilities for special exceptions related to alcohol at the discretion of the County Administrator (Attachment #2 and #3).

Analysis:

The County Attorney's Office has prepared a draft Ordinance amending the Section 13-58 of the Leon County Code of Laws. The proposed Ordinance has been advertised consistent with state law and the Leon County Code of Laws (Attachment #4).

Recent special events such as the Florida Association of Counties' 2015 Legislative Day Reception hosted by the Board in the Courthouse rotunda, the Silver Anniversary Gala for the Downtown Main Library hosted by the Friends of the Library, and a pending request by the Division of Tourism Development have brought to the attention of staff inconsistencies in County Ordinance and policies regarding the use of alcoholic beverages as well as a lack of formal guidelines for special event exceptions. For example, alcohol is specifically prohibited in all County parks by Ordinance and the County Courthouse by policy but there is no such provision regarding alcohol at the Library. Although the Board has the authority to waive policies for special events, the prohibition of alcohol in parks by County Ordinance does not provide for consideration of exceptions or special events.

The proposed Ordinance amending Section 13-58 of the Leon County Code of Laws is consistent with the City of Tallahassee's current Property Alcohol Policy that permits alcohol for special events such as the 4th of July Celebration at Tom Brown Park, concerts at the Capital City Amphitheater in Cascades Park, and various events at Kleman Plaza. The Ordinance would delegate authority to the County Administrator to approve the use of alcoholic beverages on County park property for short term (one day to three days) events where a special exemption is deemed appropriate.

Once the Board adopts the proposed Ordinances, staff will prepare revisions to County policy for the Board's approval delegating to the County Administrator to authorize the consumption of alcohol in other County facilities and properties for special events.

Options:

1. Conduct the first and only Public Hearing and adopt the proposed Ordinance amending Section 13-58 of the Leon County Code of Laws (Attachment#1).
2. Conduct the first and only Public Hearing and do not adopt the proposed Ordinance amending Section 13-58 of the Leon County Code of Laws.
3. Board direction.

Recommendation:

Option #1.

Attachments:

1. Proposed Ordinance.
2. March 8, 2016 item Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Section 13-58 of the Leon County Code of Laws.
3. Section 13-58 of the Leon County Code of Laws.
4. Public Notice.

ORDINANCE NO. 16-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 13, ARTICLE II, DIVISION 2, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, REGARDING CLASSIPARKS, BY AMENDING SECTION 13-58, ENTITLED "CONSUMPTION OF ALCOHOL, INTOXICATION AND PUBLIC NUISANCES"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners desires to enact an ordinance amending Chapter 13, Section 13-58, Leon County Code of Laws, relating to consumption of alcohol, intoxication and public nuisances;

BE IT ORDAINED by the Board of County Commissioners of the County of Leon, Florida, as follows, that:

Section 1. Section 13-58 of the Code of Laws of Leon County, Florida, is hereby amended to read as follows:

~~(a) Drinking of intoxicating beverages within any county park is prohibited.~~

(b)(a) No person under the influence of any intoxicant, whether narcotic or of any other form, shall enter or remain in the park. Any person discovered in such condition may be arrested and/or ejected from the park.

(e)(b) Persons in any park who conduct themselves in a disorderly, offensive, obnoxious, obscene or profane manner, may be considered public nuisances and are subject to arrest and/or ejection from the park.

(d)(c) No person shall abuse the facilities, rules and regulations, or privileges of any park.

(e)(d) No person shall cause public inconvenience, annoyance or alarm by making or causing unreasonably loud noises, including, but not limited to, offensive use of stereos and radios and improper muffling of engine exhaust.

Section 2. Conflicts.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended, which provisions shall prevail over any parts of this ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.

Section 3. Severability.

If any provisions or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. Effective Date.

This ordinance shall have effect upon becoming law.

DONE, ADOPTED AND PASSE D by the Bo ard of Cou nty Commissioners of Leon
County, Florida this ____ day of _____, 2016.

LEON

COUNTY, FLORIDA

Bill
Board

By: _____
Proctor, Chairman
of County Commissioners

ATTESTED BY:
BOB INZER, CLERK OF THE COURT
LEON COUNTY, FLORIDA

By: _____
Bob Inzer, Clerk of Court
Leon County, Florida

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

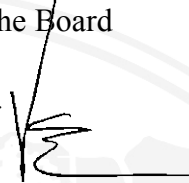
By: _____
Herbert W. A. Thiele, Esq.
County Attorney

Leon County Board of County Commissioners

Cover Sheet for Agenda #15

March 8, 2016

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Ken Morris, Assistant County Administrator Cristina Paredes, Director of Economic Vitality
Lead Staff/ Project Team:	Lee Daniel, Director of Tourism Development Brian Hickey, Sr. Sports Manager, Tourism Development Amanda Heidecker, Sports Manager, Tourism Development

Fiscal Impact:

This item has no fiscal impact.

Staff Recommendation:

Option #1: Schedule first and only public hearing on a proposed Ordinance (Attachment #1) amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.

Option #2: Direct staff to modify County policies regarding the use of alcoholic beverages in County facilities and properties.

Title: Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.
March 8, 2016
Page 2

Report and Discussion

Background:

Recent special events such as the Florida Association of Counties' 2015 Legislative Day Reception hosted by the Board in the Courthouse rotunda, the Silver Anniversary Gala for the Downtown Main Library hosted by the Friends of the Library, and a pending request by the Division of Tourism Development have brought to the attention of staff inconsistencies in County Ordinance and policies regarding the use of alcoholic beverages as well as a lack of formal guidelines for special event exceptions. For example, alcohol is specifically prohibited in all County parks by Ordinance and the County Courthouse by policy but there is no such provision regarding alcohol at the Library. This item seeks the Board's approval to modify County Ordinance and policies for a consistent application across County facilities for special exceptions at the discretion of the County Administrator.

The most recent request for an exception for the consumption of alcohol on a County property has been initiated by the Division of Tourism Development for two large events scheduled at the Leon County Apalachee Regional Park (ARP). Leon County has been awarded the USA Track & Field (USATF) Master's 5km Cross Country National Championship and the USATF Club Cross Country Championship on November 6 and December 10, 2016 respectively. The Master's National Championship is anticipated to host over 500 participants, 1,000 visitors, and generate \$472,565 in direct spending. The Club Championship is expected to have over 1,800 participants, 3,000 visitors and generate \$1,928,930 in direct spending to Leon County. In conjunction with the USATF Master's 5km Cross Country National Championship on November 6th, an open/preview race will be held allowing USATF Clubs to run the course prior to the USATF Club Cross Country Championship taking place the following month. This open/preview race may draw an additional 500 runners from the general public to the Master's event to exceed 1,000 total participants the morning of November 6th.

As part of the bids for these events, the County is required to coordinate award ceremonies and make arrangements for onsite food vendors. Due the substantial attendance of both events, the ceremonies will be held outdoors at ARP following the races and transition to a festival environment for the runners and their families. Staff has begun preliminary discussion with local restaurateurs for onsite concessions rather than relying exclusively on food trucks which are often used for smaller races. The ability to include the sale of alcoholic beverages from licensed alcoholic beverage distributors, which is currently prohibited at County parks by Section 13-58 of the Leon County Code of Laws (Attachment #2), is being sought for the USATF races on November 6th and December 10th. Shuttle service will be provided between ARP and the partner hotels throughout both events.

Title: Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.

March 8, 2016

Page 3

Analysis:

ARP has become one of the premier locations to host cross country events as shown by the upcoming 2016 season anticipated to bring more than 20,000 visitors, 11,600 room nights and a direct visitor spending of \$8.4 million to Leon County (Attachment #3). By amending County Ordinance and policies to allow for special event exceptions, these races may help alleviate some of the concerns expressed by local retailers at the Tourism Listening Session. Several participants stated their concern about declining revenue as a direct result of the loss of two Florida State Seminoles' home games during the 2016 football season (the spring game and season opener, both in Orlando). On February 12, 2016, subsequent to the Listening Session, the *Tallahassee Democrat* released a report announcing Florida State University's decision to explore the possibility of moving a future ACC home football game to another Florida city in order to decrease travel costs for out-of-town season ticket holders.

Although the Board has the authority to waive policies for special events, the prohibition of alcohol in parks by County Ordinance does not provide for consideration of exceptions or special events. This item seeks the Board's approval to modify County Ordinance and policies for a consistent application across County facilities for special exceptions at the discretion of the County Administrator. To effectuate these changes, the Board must approve a request to schedule the first and only public hearing on a proposed Ordinance amending Section 13-58 of the Leon County Code of Laws, specifically subsections a and b, which states:

Sec. 13-58. - Consumption of alcohol, intoxication and public nuisances.

(a) Drinking of intoxicating beverages within any county park is prohibited.

(b) No person under the influence of any intoxicant, whether narcotic or of any other form, shall enter or remain in the park. Any person discovered in such a condition may be arrested and/or ejected from the park.

The proposed Ordinance amending Section 13-58 of the Leon County Code of Laws would be consistent with the City of Tallahassee's current Property Alcohol Policy which permits alcohol for special events such as the 4th of July Celebration at Tom Brown Park, concerts at the Capital City Amphitheater in Cascades Park, and various events at Kleman Plaza. The Ordinance would delegate authority to the County Administrator to approve the use of alcoholic beverages on County park property for short term (one to three days) events where a special exemption is deemed appropriate. Staff would also prepare revisions of the County policy for the Board's approval delegating the County Administrator to authorize the consumption of alcohol in other County facilities and properties for special events.

Subject to a public hearing to amend Section 13-58 of the Leon County Code of Laws and approval by the County Administrator, Tourism staff would coordinate with licensed vendors to offer alcohol at ARP for the two 2016 USATF cross country events. This delegated authority would require compliance with other existing requirements set forth in Chapter 3 (Alcoholic Beverages) and Chapter 13 (Parks and Recreation) of the Leon County Code of Law.

Title: Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.
March 8, 2016
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Options:

1. Schedule first and only public hearing on a proposed Ordinance amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.
2. Direct staff to modify County policies regarding the use of alcoholic beverages in County facilities and properties.
3. Do not schedule first and only public hearing on a proposed Ordinance amending Section 13-58 of the Leon County Code of Laws.
4. Do not direct staff to modify County policies regarding the use of alcoholic beverages in County facilities and properties.
5. Board direction.

Recommendation:

Options 1 and 2.

Attachments:

1. Proposed Ordinance
2. Section 13-58 of the Leon County Code of Laws
3. 2016 Fall Cross Country Events Flyer

Sec. 13-58. - Consumption of alcohol, intoxication and public nuisances.

- (a) Drinking of intoxicating beverages within any county park is prohibited.
- (b) No person under the influence of any intoxicant, whether narcotic or of any other form, shall enter or remain in the park. Any person discovered in such a condition may be arrested and/or ejected from the park.
- (c) Persons in any park who conduct themselves in a disorderly, offensive, obnoxious, obscene or profane manner, may be considered public nuisances and are subject to arrest and/or ejection from the park.
- (d) No person shall abuse the facilities, rules and regulations, or privileges of any park.
- (e) No person shall cause public inconvenience, annoyance or alarm by making or causing unreasonably loud noises, including, but not limited to, offensive use of stereos and radios and improper muffling of engine exhaust.

(Ord. No. 92-12, § 3(16-47(4)), 3-10-92)

Cross reference— Alcoholic beverages, ch. 3.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of County Commissioners of Leon County, Florida (the "County") will conduct a public hearing on Tuesday, May 10, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider adoption of an ordinance entitled to wit:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 13, ARTICLE II, DIVISION 2, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, REGARDING CLASS I PARKS, BY AMENDING SECTION 13-58, ENTITLED "CONSUMPTION OF ALCOHOL, INTOXICATION AND PUBLIC NUISANCES"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

All interested parties are invited to present their comments at the public hearing at the time and place set out above.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

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301 S. Monroe St., 5th Floor Reception Desk
Tallahassee, FL 32301

and

Leon County Clerk's Office
315 S. Calhoun Street, Room 750
Tallahassee, Florida 32301

Advertise: April 29, 2016

F92-00079